

Southcenter Plan Regulations - Revised Issues Matrix

- Comments received by close of hearing on June 11, 2009.

- Note that comments listed without an exhibit reference were delivered verbally during the public hearing.

Responses have been revised where needed to reflect the 2012 changes in the Plan Document.

Page # in Plan	Comment (suggested language changes in bold strikethrough/underline)	Exhibit #/ Date/Source	Staff comment/analysis/options
	Book 2 - General		
	Concerned about: implementation strategy, economic impacts, non-conforming uses & structures, traffic circulation, parking locations & configurations, constraints on potential expansions, constraints on exterior & interior alterations, grandfathering of existing conditions, need for more stakeholder input, compliance with legal process, procedural and substantive.	Ex. 7/ Sears/5.28.09	Comment noted. Not enough specificity regarding issues to be able to respond.
	Chevron understands the importance of the City's vision for the area and any alterations will be done so with the City's vision in mind and, whenever possible, Chevron will work with the City so that the new standards can be met.	Ex. 13/ 6.9.09/G.Hotalin g/Chevron	Commenter supportive of vision and proposed regs
	SCP is not consistent with Shoreline Master Program (SMP), including amendments to the SMP currently under consideration by the Council. Inconsistent requirements: landscaping, public access & open space, buffers & setbacks, height restrictions, and nonconforming use provisions.	Ex. 15/ 6.11.09/C.Maduell/Residence Inn	Revisions to the plan have been coordinated with the adopted SMP. Language has been added to state " Areas within 200 feet of the OHWM of the Green River are subject to the regulations in the Shoreline Overlay at TMC 18.44 which supersede this chapter when in conflict. "
	<u>Regulations are too prescriptive</u> ; there are disincentives to improve property. <u>Need to provide incentives</u> so that developers have a way to make their proformas work. Thresholds for conformance are disincentives. Need more flexibility for developers.	Mall/5.28.09	The Plan has been revised to reduce the number of prescriptive standards and include incentives for providing frontal improvements and new streets.
	<u>The cost of implementing various requirements triggered by a change in use could quickly overwhelm the rental value generated by a new tenant.</u> Current site (industrial business park) has 277 units housing 217 different uses with regular changes of use. Would cause substantial cost. Owners would probably allow property to lay vacant before investing in upgrades to meet new standards.	Ex. 17/ 6.11.09/ Walton CWAA Bus.Park Properties	The Plan has been revised to reduce the number of form standards and the threshold for conformance with most standards has been returned to the existing threshold at TMC 18.70.
	Additional expenses imposed by plan don't provide a corresponding increase in the value of the developed property - only devalues.	Ex. 17/ 6.11.09/ Walton CWAA Bus.Park Properties	FTB's argument is that these improvements upgrade the entire area, making it more attractive and therefore more valuable.
	<u>Recommend limiting the area within which the proposed code would apply for a sufficient length of time to ensure that the actions it would require can be undertaken successfully and without needless damage to existing uses.</u> Such a strategy would have the added benefit of allowing the City to <u>concentrate public investment in the chosen area</u> to foster the conditions that would encourage private investment in keeping with the plan's vision. Once the plan has been operationally tested and once the City's investments and private investments have created the market conditions that would support the uses envisioned by the plan, the implementation of the plan can be extended to the remainder of the TUC.	Ex. 19/ 6.11.09/ Kresovich/Target	The framework of differentiated districts should stay in place, although the Plan has been revised to reduce the number of districts. Some form requirements have been removed in the revised Plan. The degree of change is less in the Commercial Corridor and Workplace districts than in the northern area.
	<u>City should consider: doing no harm - need public & private investment; be patient - don't try to do everything at once. Start small, see errors, make corrections. Concentrate city funding where you can get the biggest bang for the buck & stimulate private investment.</u>	George Kresovich, Target/5.28.09	Limited changes are proposed for the Commercial Corridor and Workplace Districts. City investments such as the new transit center and pedestrian bridge are being focused on the Mall to Station corridor.
	<u>Concerned about the downzoning effect of the plan.</u> By making properties nonconforming and burdening them with extreme restrictions, the City is purposefully taking away value from the land so that it can achieve a different use on the land at the expense of the property owners & erosion of the city's tax base. <u>Tukwila should offer incentives and put resources into infrastructure needed to support the mixed use neighborhoods, just as other cities have done.</u>	Ex. 21/ 6.11.09/Hancock /Segale	The requirements of the plan have been revised and are intended to make the development process more predictable and result in more consistency of uses and design within districts. While the plan limits future warehouse & industrial uses in the northern portion of the urban center, it focuses on preserving these uses and areas for future use in the Workplace district. Incentives have been added to the Plan.
	The design details are too limited and restrictive. The City should <u>allow more flexibility to vary from the details when the overall goal of the plan can be achieved by variations in regs.</u> especially as it relates to adaptive re-use of existing buildings.	6.11.09 & 3.26.09 /Hancock/Segale	Many of the form based regulations have been removed or revised in this draft of the Plan. Guidelines to supplement limited standards are used to provide guidance with flexibility.
	Vision is for residents of Tukwila, not commercial property owners. Expect great resistance & desire for flexibility from commercial property owners. <u>Need fairly stringent standards.</u>	5.14.09/CParish/ PC	Commenter supportive of concept of form based code. In response to other public comments the more stringent form based regulations have been removed or revised.
Non conforming issues			
	<u>Property owners want the non-conforming section of SMP to apply, not the Southcenter Plan's.</u> SMP offers more relief.	Ex. 4/ 4.23.09/Michaelis/Barnaby's	Revisions to the plan have been coordinated with the adopted SMP. Language has been added to state " Areas within 200 feet of the OHWM of the Green River are subject to the regulations in the Shoreline Overlay at TMC 18.44 which supersede this chapter when in conflict. "
	Plan renders substantial number of uses & structures in the mall non-conforming. Would impact the value & marketability of property rights and our leasehold interest.	Ex. 7/ Sears/5.28.09	The revised Plan offers substantial relief from this concern with fewer location requirements and conditions.
	The plan states that non-conforming uses and development may continue, but it does not appear to allow incremental improvements.	Ex. 7/ Sears/5.28.09	Incremental improvements as well as maintenance and repair are permitted. When the value of those improvements reaches the existing thresholds listed in TMC 18.70, specific requirements apply.
	Non-conforming uses & structures would impair financing, sales & rentals. 50% of buildings would become non-conforming. <u>City should look at Bellevue's pre-existing provisions.</u>	Brent Carson/4.23.09	See comparison chart of non-conforming regulations. Tukwila's existing standards referenced in the revised draft are more specific than several other recent "town center" subarea plans.
	Regulations would make current use (of Residence Inn) non-conforming.	Ex. 15/ 6.11.09/C.Maduell/Residence Inn	Lodging is a permitted use in the TOD District, so the Inn would not be a non-conforming use.
	Proposed code would cause parts of the Mall to be non-conforming.	Mall/3.26.09	The recent revisions to the Plan would have allowed the expansion to occur, though minor modifications may have been needed to the design of the new construction. Firestone Automotive would become a non-conforming use because it caters to cars, not pedestrian-oriented activities.
	Most recent expansion would not have occurred under Plan. When plan is adopted, pads, Bank of America drive thru, Firestone, parking structures would become non-conforming.	westfield/4.23.09	The parking structures are designed to accommodate ground floor retail in the future, which is consistent with the uses required in the Plan. Drive thru facilities and services would be permitted.
	All anchor bldgs, patios, theater, drive-aisles, surface parking, tenant width, entrances would become non-conforming.	westfield/4.23.09	If the plan had been in place, it may have resulted in more internal pedestrian circulation improvements through the surface parking lot, modified cross sections for the internal streets, and more parking lot landscaping.

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	Believe the plan reduces the amount of time an owner has to bring a nonconforming use into compliance before the City will effect the use permit. True?	Ex. 20/ 6.11.09/Badstuber/Regency	Plan has no requirement that an owner bring nonconforming uses into compliance until the use is changed or abandoned. Use permits are not required by the City.
	"Legal pre-existing" SMP concept - needs a definition and clarification of affect. Issaquah & Bel-Red Plan as examples?	5.14.09/CParish/PC	We heard mixed comments about the usefulness of the label "pre-existing" verses "non-conforming" during the SMP review. The Bel-Red Plan uses the term "existing development." See comparison chart of non-conforming regulations.
	Is the plan proposing provisions that conflict with similar types of standards in other documents? For example, non-conforming standards in SCP are different than those in SMP. Is the City treating people differently, and is that legal?	5.21.09/CParish/PC	It is permissible to treat different situations/locations differently.
	Take a closer look at non-conforming issues - use & structures. If economic analysis supported uses then would have no issue with making a use non-conforming.	5.28.09/GMalina/PC	comment noted.
Applicability			
	Applicability. SCP requires that new development standards be met for relatively minor alterations and redevelopment of the property. This will discourage property owners & businesses from maintaining or upgrading existing improvements.	Ex. 15/ 6.11.09/C.Maduell/Residence Inn	Minor repairs and maintenance to non-conforming structures are permitted per 18.70.050 (1).
	Earlier this year considered a "facelift" or redevelopment of SC West site. Plan would have made it financially infeasible or impossible. <u>Regs would increase project's cost far above the increased rental values that might be achieved. New tenants might trigger add'l requirements including public frontage improvements, landscaping & other. Cost outweighs benefits.</u>	Ex. 17/ 6.11.09/ Walton CWAA Bus.Park Properties	The revised Plan offers substantial relief from this concern because there are fewer form based regulations. The threshold for design review under the revised Plan remains the same as the current Zoning Code.
	Considered binding site plan at TBS site. Without proposing any new development, would have triggered new streets, new public access to river, public frontage improvements, landscaping & site improvements.	Ex. 17/ 6.11.09/ Walton CWAA Bus.Park Properties	New streets and frontal improvements would only be triggered when anticipated traffic impacts from new development triggers the need for add'l mitigation. See Applicability section.
	What is the impact on existing occupants of new structures built within the mall which must meet all the new guidelines, including structured parking?	Ex. 7/ Sears/5.28.09	Comment noted. Not enough specificity to be able to respond. Requires dialogue between Westfield and each property owner. Plan would only require new construction or additions to comply with regs.
Thresholds for conformance			
13 18.28.003 Threshold for Conformance...	1. To the end of the first paragraph of section 18.28.003 add: <u>Tukwila Urban Center Regional Hub: New Construction and Expansion of Existing Structures shall not trigger full compliance to the Development Code for the entire site; rather the degree of compliance shall be limited in value and area proportionate to the new development or expansion, including limiting required improvements to a smaller area of the premise which is more equivalent to the percentage of total building being constructed. The Tukwila Urban Regional Hub consists of the Southcenter Mall, which is bounded by Tukwila Parkway to the north, Andover Park West to the east, Strander Boulevard to the south, and Southcenter Parkway to the west.</u>	Ex. 16B/ B.Carson&S.Hamilton/6.11.09	The plan does not currently require that "new construction and expansion of existing structures trigger full compliance to the development code for the entire site"... If new construction occurs, the new construction must comply. Only areas newly developed for parking would require compliance with new parking standards. Exterior alterations that trigger design review also require landscape compliance, though the BAR is given flexibility to modify standards. This comment is also recommends a new district, Tukwila Urban Center Regional Hub that would only cover Southcenter Mall. It is unclear how separating the half block on the east side of APW from the Regional Center/Urban Core District would improve the plan.
13	2. Change this sentence: ii) Major Retail Centers. Compliance with the above regulations is required when the combined costs stated on all submitted City permit applications for exterior alterations to an individual tenant space in major retail centers within any rolling 2-a one year period equals or exceeds \$100,000 50% of the replacement value of the tenant space (unless the work is covered under the exception section below).	Ex. 16B/ B.Carson&S.Hamilton/6.11.09	This standard has been eliminated in the revised Plan.
13	3. Change this sentence: Required improvements may be made as part of the alteration that triggers the required improvements. The cost of the landscaping standards that shall be met is limited to 40% 1% of the value of the proposed alterations. It is the responsibility of the applicant to document to the DCD Director the value of the required improvements. Additional costs may be required to comply with other applicable requirements associated with the proposal.	Ex. 16B/ B.Carson&S.Hamilton/6.11.09	The existing code referenced in the revised Plan requires that non-conforming landscape areas be brought into full compliance when design review is triggered, though the BAR/DCD Director may modify the standards. The southward expansion of the Mall was reviewed under this standard and compliance was limited to the areas Westfield revised.
13	pg. 13, 3)a.i.1. If not doing addition or expansion, don't need to comply with scale standard regs. Delete from here & chart on page 13.	Staff	This standard has been eliminated in the revised Plan.
13	Pg. 13, 3)a.i.2. If not doing addition or expansion, don't need to comply with setbacks. What about private frontage types?	Staff	This standard has been eliminated in the revised Plan.
13	Pg. 13, 3)a.i.2. If not doing addition or expansion, do they need to comply with private frontage types?	Staff	This standard has been eliminated in the revised Plan.
13	\$100k threshold for major retail centers exterior alts works for smaller stores, but not larger (so it is not equitable). Acts as a disincentive to improve bldgs or bring in high quality tenants who may want custom storefronts. <i>Eliminate.</i>	6.11.09/Hancock/Segale	This standard has been eliminated in the revised Plan in favor of the existing percentage value threshold.
13	Exterior alteration threshold of \$100k for individual tenant is too high (pg 13). <i>Minimum threshold should be based on size of tenant. \$ amount should be proportional to size of tenant.</i>	Ex. 21/ Hancock/Segale/ 3.26.09	
	Want back-up analysis for selecting \$100k threshold for major retail center tenants.	4.9.09/AEKberg/PC	This standard has been eliminated in the revised Plan.
13	Exceptions to ext alts value calculations appear to cover "ordinary maintenance", but then the list of those activities is limiting. Include such things as parking lot repaving and landscape improvements. <i>Reword the section to say "ordinary maintenance, including but not limited to the following..."</i>	Ex. 21/ 3.26.09 & 6.11.09/Hancock/Segale	This standard has been eliminated in the revised Plan in favor of the existing language at TMC 18.70.
14 18.28.003 Thresholds for Conformance...	1. Change this sentence: b) Substantial Alteration Threshold i) Substantial alteration occurs when the combined costs stated on all submitted City permit applications for any repair, reconstruction, rehabilitation, demolition, tenant improvements or other improvements to a structure within any rolling 2-year a one year period exceeds 50% of the current value or replacement value of the structure. Replacement values before the start of construction activity or before damage had occurred (if the structure was damaged and is being restored) shall be used.	Ex. 16B/ B.Carson&S.Hamilton/6.11.09	This standard has been eliminated in the revised Plan in favor of the existing language at TMC 18.70.

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14	<i>pg. 14: sect. 4.a.i substantial alteration, and p. 15, Fig. 18.28.03 a conformance with development code. Add "Substantial alteration of an existing structure shall require compliance with all of the standards and regulations of this chapter <u>unless a substantial alteration is specifically allowed by other regulations of this chapter or by other regulations adopted by the City of Tukwila.</u> this would allow alterations that are consistent with SMP regs.</i>	Ex. 18/ 6.11.09/Michaeli s/Barnaby's	Both the Southcenter Plan and SMP apply to properties in the shoreline zone with SMP taking precedence in case of a conflict.
14	<i>p. 14: sect. 5.a.i Change in use. Revise "Any application involving a change <u>to a more intensive</u> use to an existing structure or premises, as determined by the DCD Director, shall comply with the following regs." p. 15, Fig 18.28.03 conformance with development code. Revise 'change in use' to "Change to a more intensive use" in building or premises.</i>	Ex. 18/ 6.11.09/Michaeli s/Barnaby's	Change of use is is not a trigger for compliance under the revised Plan unless an individualized assessment by the DCD Director determines that improvements are reasonably necessary as a direct result of the proposed development.
15 Fig 18.28.03	Next series of comments is based on p.15 Fig 18.28.03 Conformance chart:	Ex. 19/ 6.11.09/Kresovic h/Target	
	No issues with proposed standards & regs for: new construction, change in use, tenant improvements, land division, and site modifications.	Ex. 19/ 6.11.09/Kresovic h/Target	Commenter supportive of proposed regs
	Landscaping requirements for expansions, exterior alts (major retail centers), and substantial alterations: Landscaping requirements are viewed to have been written from a focus on new development projects and not supplementing existing landscapes. <i>Advocate that existing conditions should not be ignored, but that additional requirements should consider and be implemented while integrating the existing landscape.</i>	Ex. 19/ 6.11.09/Kresovic h/Target	Proposed landscaping standards are not significantly different than current standards. Flexibility in how the standards are met is available during the review process and existing healthy landscaping is encouraged to be retained. Applicant can suggest ways of meeting the standard, provided the intent of the code is met.
	Arch. Elements regs for expansions, exterior alts (major retail centers), and substantial alterations: Believe that the plan attempts to legislate the vast majority of the design process. The prescriptive nature of the current form would stifle the creative process, which would be an unintended consequence.	Ex. 19/ 6.11.09/Kresovic h/Target	Intent of Plan is to create a higher quality urban environment and corridors with consistent public & private frontages. Architectural regulations are similar to those in other jurisdictions in terms of regulating massing, good design principles. Intended to provide more certainty in the design review process, while still providing room for creativity. Comment does not specify which architectural regulations are considered too prescriptive.
	Parking types & locations for expansions & Ext alts (major retail centers): The proposed parking types & location requirements do not appear to relate to the existing uses. The orientation of the building and the orientation of the parking are almost always part of the business model of the occupant. Additionally, requiring a parking structure without economic justification would not be economically feasible. For example, if Target were to expand or have a substantial interior alteration and our existing orientation was viewed as "facing the street", the only parking arrangement that would be allowed under the proposed requirements would be some type of structured parking.	Ex. 19/ 6.11.09/Kresovic h/Target	The plan does not require structured parking. Surface parking location is regulated by corridor type. The plan provides guidance on the design of structured parking, if constructed.
	Frontage coverage for Expansions: How would one comply to this reg on <u>only</u> new floor area?	Ex. 19/ 6.11.09/Kresovic h/Target	These standards have been revised or eliminated in the revised Plan.
	Minimum heights for expansions: how would one apply this standard/req only to the new floor area and incorporate it into the existing conditions?	Ex. 19/ 6.11.09/Kresovic h/Target	
	Building orientation for expansions: how would one apply this standard/req only to the new floor area and incorporate it into the existing conditions?	Ex. 19/ 6.11.09/Kresovic h/Target	
	Public frontage improvements for expansions: how would one apply this standard/req only to the new floor area and incorporate it into the existing conditions?	Ex. 19/ 6.11.09/Kresovic h/Target	Public frontage improvements are required when an individualized assessment by the DCD Director determines that improvements are reasonably necessary as a direct result of the proposed development. The requirements may be modified if they are disproportionate to the triggering work.
	Building length for expansions & substantial alts: In the event of an expansion or subst. alt, the proposed reg would require Target to reduce the length of the building by 51'. Would result in the loss of existing Target bldg.	Ex. 19/ 6.11.09/Kresovic h/Target	These standards have been revised or eliminated in the revised Plan.
	Building orientation for expansions & subst alts: compliance with the proposed standard would result in the loss of the existing bldg.	Ex. 19/ 6.11.09/Kresovic h/Target	
	Frontage coverage for subst. alts: compliance with the proposed standard would result in the loss of the existing bldg.	Ex. 19/ 6.11.09/Kresovic h/Target	These standards have been revised or eliminated in the revised Plan.
	Building length for subst. alts: compliance with the proposed standard would result in the loss of the existing bldg.	Ex. 19/ 6.11.09/Kresovic h/Target	These standards have been revised or eliminated in the revised Plan.
	New street regs for subst. alts: compliance with the proposed standard would result in the loss of the existing bldg.	Ex. 19/ 6.11.09/Kresovic h/Target	New streets are required when an individualized assessment by the DCD Director determines that improvements are reasonably necessary as a direct result of the proposed development. There are incentives in the plan such as permitting new streets to count toward open space, parking and landscape requirements.
	Public frontage improvements for expansions & subst alts: this would require the taking of Target's property and the loss of the building due to the 25' public esplanade requirement.	Ex. 19/ 6.11.09/Kresovic h/Target	Public frontage improvements are required when an individualized assessment by the DCD Director determines that improvements are reasonably necessary as a direct result of the proposed development. The requirements may be modified if they are disproportionate to the triggering work.
	Private frontage types for expansions, exterior alts (MRC) & subst. alts: making improvements would require compliance with this reg, yet Target does not appear to meet or fall within the definition of any of the Private Frontage Types.	Ex. 19/ 6.11.09/Kresovic h/Target	These standards have been revised or eliminated in the revised Plan.
	New Street regs for expansions: This would require a taking of private property that is currently used for business operations and result in Target being unable to operate.	Ex. 19/ 6.11.09/Kresovic h/Target	The plan only requires new streets when the traffic impacts generated by new development, redevelopment, or a change in use triggers the need for mitigation, as determined by the DCD Director.
	Site component regs for expansions, ext alts (MRC) & subst alts: attempting to comply with all of the site component requirements would be economically unfeasible. It would also raise issues of pedestrian safety.	Ex. 19/ 6.11.09/Kresovic h/Target	The comment does not specifically identify the regs that pose a problem. In general, most of the site component elements are required under the current code and design guidelines.

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	Suggested regulation: <i>An expansion that is 25% or less of the overall square footage of the building would not trigger alterations/impacts to the existing building in terms of building orientation, minimum or maximum building heights, public frontage improvements, private frontage improvements, frontage coverage, build to corner, new street regs, site component regs, parking types & locations, general parking requirements & guidelines, architectural elements regs.</i>	Ex. 19/ 6.11.09/Kresovic h/Target	This standard has been eliminated in the revised Plan in favor of the existing language at TMC 18.70.
	Building orientation for exterior alts (MRC): suggested regulation - <i>To remain consistent a sliding scale based on a predetermined percentage of replacement value be used to determine the correlating trigger amount for Exterior Alterations.</i>	6.11.09/Kresovic h/Target	
15	<i>Fig 18.28.03 conformance with development code. Exterior alteration row, Delete 'x' in Building Orientation & Private Frontage Types requirements. This would allow buildings to be oriented in present location if improvements exceed 5%.</i>	Ex. 18/ 6.11.09/Michaeli s/Barnaby's	This standard has been eliminated in the revised Plan in favor of the existing language at TMC 18.70.
	There is some language about applying the "most stringent" regulations in the event that there is a conflict between the TUC Plan and the Shoreline Master Program. While I agree in principle and understand the practicality of pointing to a document in flux that will take precedence over the TUC plan, I'm concerned that there could be some legal challenges (or at the very least some misunderstandings) based on what really is the "most stringent". My long term hope would be that when the SMP gets translated in Tukwila Municipal Code, that section 18 be brought into full compliance and that 18.28.003.10.a.iii (page 14) would go away, so there would be no confusion.	LPeterson/PC (comment submitted in email to staff).	City attorney has reviewed and approved the Applicability language.
	Is the wording of 18.28.004.1.b.i.3rd-bullet correct? The other three bullets in this section appear to be UPPER thresholds to stay below, while this one appears to be worded as a LOWER threshold to be exceeded.	LPeterson/PC (comment submitted in email to staff).	Yes, it is correct as is.
	Rename "Typical Projects". Term is not representative. "Non-major retail centers" was suggested as a replacement.	4.9.09/GMalina/ PC	This standard has been eliminated in the revised Plan in favor of the existing language at TMC 18.70.
15 Figure 18.28.03 Conformance with Code	1. Change this sentence: EXTERIOR ALTERATIONS - Major Retail Centers. Any exterior alteration of an individual tenant space in major retail centers when the combined costs stated on all submitted City permit applications within any rolling 2-year a one year period equals or exceeds \$100,000 50% of the replacement value of the tenant space (unless the work is covered under the exception section of the chapter *)	Ex. 16B/ B.Carson&S.Ha milton/6.11.09	This standard has been eliminated in the revised Plan in favor of the existing language at TMC 18.70.
15	2. Change this sentence: SUBSTANTIAL ALTERATIONS - Any repair, reconstruction, rehabilitation, or other improvements to a structure (unless the work is covered under the exception section of the chapter**) when the combined costs stated on all submitted City permit applications within any rolling 2-year a one year period exceeds 50% of the replacement value of the building or structure either before the start of construction or, if the structure has been damaged and is being restored, before the damage occurred, shall require compliance with all of the regulations of this chapter.	Ex. 16B/ B.Carson&S.Ha milton/6.11.09	This standard has been eliminated in the revised Plan in favor of the existing language at TMC 18.70.
15	3. From the "Exterior Alterations" Type of Development, remove the "X" from the following Standards and Regulations: · Building Orientation · Private Frontage Types · Side Yard Setback · Rear Yard Setback · Alley Setback · Site Components Regulations	Ex. 16B/ B.Carson&S.Ha milton/6.11.09	This standard has been eliminated in the revised Plan in favor of the existing language at TMC 18.70.
15	4. Add the following reference below chart: **** In the TUC Regional Hub new construction and expansion of existing structures shall not trigger full compliance for the entire site to the Development Code; rather the DCD Director will determine the degree of compliance, including limiting required improvements to a smaller area of the premise which is more equivalent to the percentage of total building being added. see 18.23.003.	Ex. 16B/ B.Carson&S.Ha milton/6.11.09	The southward expansion of the Mall was reviewed under the existing non-conforming standards referenced in the revised Plan and compliance was limited to the areas Westfield revised. Therefore the proposed language appears unnecessary.
15	5. Amend Figure 18.28.03 to add **** to the following "Standards and Regulations that will be used to evaluate the project": · Landscaping Regulations · Site Component Regulations · General Parking Requirements & Guidelines	Ex. 16B/ B.Carson&S.Ha milton/6.11.09	The southward expansion of the Mall was reviewed under the existing non-conforming standards and compliance was limited to the areas Westfield revised.
14&15	Definitions of substantial alterations does not match (between text & chart). Chart does not include tenant improvements and demolitions.	Staff	This standard has been eliminated in the revised Plan in favor of the existing language at TMC 18.70.
15 chart	The asterisks in Exterior alterations & substantial alts that refer to exceptions are labelled incorrectly. There should be one asterisk (*) instead of two (**).	Staff	This standard has been eliminated in the revised Plan in favor of the existing language at TMC 18.70.
	\$\$ amounts in thresholds for conformance are too low. Should be based on a sliding scale based on size of project/building/site.	Target/4.23.09	This standard has been eliminated in the revised Plan in favor of the existing language at TMC 18.70.
	Change the level of investment that would trigger the requirements to undertake substantial reconstruction of existing uses.	Ex. 19/ 6.11.09/Kresovic h/Target	
	Subst. alt threshold of 50%. <i>Will the city calculate the value of all of the buildings on the subject property (GLA), or by physical building?</i> If the trigger is based on total shopping center GLA we have little exposure to this trigger. Either way, the plan does not address this issue.	Ex. 20/ 6.11.09/Badstub ner/Regency	This standard has been eliminated in the revised Plan in favor of the existing language at TMC 18.70.
	Will an act of God trigger the requirement to rebuild a compliant building?	Ex. 20/ 6.11.09/Badstub ner/Regency	Yes, Tukwila's current regulations require that if a fire, earthquake, etc destroys a non-conforming structure to an extent more than 50% of its replacement cost AND the owner wishes to replace it, it must be reconstructed in conformance with the regulations. TMC 18.70 non-conforming lots, structures and uses would apply.
	Is the \$100,000 improvement threshold (exterior alt for major retail centers) before or after taxes?	Ex. 20/ 6.11.09/Badstub ner/Regency	This standard has been eliminated in the revised Plan in favor of the existing language at TMC 18.70.

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	It is unclear how to assess the impact of one retailer's desire to make alterations which trigger new development guidelines, including building orientation and side/rear setback requirements, on other occupants of the mall. What is the impact to adjacent retailer?	Ex. 7/ Sears/5.28.09	Setbacks are calculated from property lines and are not significantly different under the proposed plan.
	<u>The requirements related to subst alts on pgs 14 & 15 need more clarity. Unsure of what is required - tear down building?</u>	Ex. 21/ 6.11.09/Hancock /Segale	This standard has been eliminated in the revised Plan in favor of the existing language at TMC 18.70.
	p 14&15 subst alts. Owners being "punished" if they try to upgrade bldgs. Regs discourage maintaining & upgrading the bldgs; push owners towards bringing in low quality, undesirable tenants.	Ex. 21/ 6.11.09/Hancock /Segale	Minor repairs and maintenance are permitted, see TMC 18.70. The intent of the plan's regs is that requiring improvements at points when major renovations are planned ultimately upgrades the design quality of the area, making properties more attractive and therefore more valuable.
	Developers can get around the 2 year rolling period (for alterations). What about considering a 3-4 year rolling period for alterations, and a possible variance process when owners/tenants suffer extenuating circumstances?	4.23.09/CParish/ PC	This standard has been eliminated in the revised Plan in favor of the existing language at TMC 18.70 which uses a rolling 12 month period. See the comparison of other jurisdiction's non-conforming regulations for other approaches.
Architectural Design Review			
	18.28.004.1.b.1. (Pg 16) Should design review for exterior alterations go to BAR? Currently, code is written so that once exterior alts reach a certain amount, project shall only be reviewed administratively.	4.9.09/GMalina/ PC	Staff recommends keeping the design review provisions as proposed, so that exterior alterations (does not include additions) are reviewed administratively. The BAR can then focus on the more significant projects proposed in the urban center.
Use Standards Chart			
19	<i>Use standards chart. Remove the L1 & L5 footnotes from the Restaurant use in the TOD River district, which eliminates the requirement for a restaurant to be located in a Neighborhood Center and oriented towards the Green River. This would allow Barnaby's to remain as a permitted use. An alternative to building orientation could be to require pedestrian open space or plaza space/outdoor patio to be oriented towards river.</i>	Ex. 18/ 6.11.09/Michaeli s/Barnaby's	Most use standard footnotes have been eliminated in the revised Plan. Under the definition & regs associated with building orientation where building orientation is required, buildings shall be located along and oriented towards new or existing streets <u>or public open spaces...</u> Thus, the commentor's proposal already fits the requirement. Recommendation: no change.
19	<i>Use standards chart. Recommended changes to Permitted uses & footnotes. Want more uses permitted with less requirements to assist current property owners in finding a tenant.</i>	Ex. 18/ 6.11.09/Michaeli s/Barnaby's	Most use standard footnotes have been eliminated in the revised Plan.
	Sears relies on a degree of certainty and flexibility from its landlords and governing jurisdictions. Need more predictable land use codes to allow Sears to make renovations & expand. Wouldn't be able to add a restaurant or auto center which are currently allowed via Sears negotiated agreement with Westfield. SCP would no longer permit the expansion and denies Sears the benefit of its agreement with Westfield. Need to locate auto center near Sears store to realize the efficiencies, economies of scale and customer convenience.	Ex. 7/ Sears/5.28.09	Intrinsic to the district structure is the idea that while all compatible uses will be accommodated within the subarea the districts will be specialized to reflect the overall vision. Auto repair can be made compatible with the Regional Center district through design standards. Recommendation: Add design regulations to ensure compatibility with pedestrian activities
	Under the proposed plan, Chevron's gas station will no longer be a permitted use. Change will not affect existing station, but the new zoning & development standards could seriously limit Chevron's ability to perform any exterior alterations in order to continue providing newer/better services and to aesthetically enhance the appearance of the property. <u>Chevron is requesting a variance to remain as a permitted use at its current location. Chevron is also asking that it not be held to the new design standards and regulations for any exterior alterations, or substantial alterations.</u>	Ex. 13/ 6.9.09/G.Hotalin g/Chevron	A variance is not required in order to remain as a non-conforming use. The use would be "grandfathered" once the plan and its implementing regulations are adopted. Exterior improvements would be permitted subject to the limits at TMC 18.70 though expansions would not. Recommendation: No change.
	<i>Request that the Pond district uses be allowed in Commercial Corridor district, especially if such uses are within walking distance from Tukwila Pond:</i>	Ex. 12/ 6.9.09/Wig	Business services, hotels, banks, financial, insurance and real estate services, convention centers, cultural facilities, educational and instructional facilities, post offices and residential uses are allowed in the Pond district but not in the CC district. These uses are more appropriate in and support the development of pedestrian oriented, mixed use areas. Recommendation: No change.
	<i>Banks, financial and real estate services should be permitted in CC since many aspects of these uses are professional services which are allowed in CC and these are typical uses in other retail properties in Puget Sound.</i>	Ex. 12/ 6.9.09/Wig	Recommendation: No change. See above discussion
	<i>Pharmacy/grocery store uses are extremely common in retail properties and in fact are the corner stone of many retail developments in Puget Sound. In such cases such users are the anchors in retail developments, making loans possible. So these uses should be allowed in CC as well.</i>	Ex. 12/ 6.9.09/Wig	Under the revised Plan these would be considered general retail and allowed in all districts.
	Not allowing the above uses in CC will hurt property owners (in CC) in the long run and ultimately will not be healthy for the area.	Ex. 12/ 6.9.09/Wig	Comment noted. There are still many more uses permitted in the CC District than those uses that are not. (Currently, there are no banks, financial services, pharmacies or grocery stores located in that district).
	Some or all of above may need parking decks that can be expensive to build. Parking decks may need piles.	Ex. 12/ 6.9.09/Wig	Comment noted. Structured parking is an option, not a requirement in the CC district.
	Regulations constitute a substantial downzone of the (Residence Inn) property.	Ex. 15/ 6.11.09/C.Madu ell/Residence Inn	There are more uses permitted on the property than not (TOD District) and many location restrictions have been lifted in the revised Plan. Most retail, office, lodging, civic & institutional, residential, and transportation & communication uses are permitted. The few uses not permitted include industrial, manufacturing, warehousing, internet data centers and commercial services including gas stations, repair shops, funeral homes, and animal shelters. Most retail uses are permitted, except bars, cocktail lounges & nightclubs (lounges assoc. with a restaurant are permitted); and commercial-outdoor recreation facilities. Drive-through configurations are not permitted. The uses that are permitted support the character of development envisioned by the community along the River. Maximum height has been reduced from 115' to 45' outside of the SMP zone. However, this height has not been realized in any development in the TUC along the river.
	Use limitations are not objectionable per se, but when combined with scale and form regs very little commercially viable development or redevelopment is possible on the property (Residence Inn, TOD River district). Couldn't replicate current hotel use of property.	Ex. 15/ 6.11.09/C.Madu ell/Residence Inn	If the owner had to redevelop the property it could not be rebuilt in the current location/form, but could build a hotel that meets all regs. It is the SMP required setback that has the biggest impact on redevelopability of this property.
	<i>In Regional Center district, grocery store should be permitted without the condition for housing to be provided.</i>	Mall/3.26.09	This restriction has been removed from the revised Plan.

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24	Definition of "anchor" limited to a larger store. Given that customer traffic is the main factor in the use of this term elsewhere in the plan, <i>this term should be replaced, or the definition should be expanded to any use that generates additional traffic in a center.</i> There are other significant generators of traffic besides large retail stores. Should include "a popular bank or restaurant", and based on "generating traffic", not based on size or use. "Anchor" definition needs more clarification. Also, should be added to glossary	3.26.09 & Ex. 21/ 6.11.09/Hancock/Segale 4.9.09/CParish/PC	This standard has been eliminated in the revised Plan therefore there is no need to amend the definition.
	<i>Drive up accessory uses should be allowed when they are behind a bldg away from street frontage, and stacking is on private property.</i>	3.26.09 & Ex. 21/ 6.11.09/Hancock/Segale	Drive up uses are not permitted in the TOD and Pond districts because they conflict with goals of increasing pedestrian orientation, and instead promote auto traffic. These types of uses are permitted in the RC, CC and WP districts, and along the east side of W Valley Hwy.
24	The interior ceiling height for a store should be left to the tenant to decide (not specify 15' min). The goal for a higher 1st floor ceiling can be achieved by the 18' floor to floor requirement in the plan. pg 24. Don't need to specify a minimum/maximum ceiling height for retail uses - let developers determine.	3.26.09 & Ex. 21/ 6.11.09/Hancock/Segale 5.14.09/GMalina/PC	Plan has revised this to state that "minimum interior height for ground level retail of all types is 18 feet from floor to floor plate. Use conversions in existing buildings are not required to meet this standard." The minimum interior height applies only to ground floors anticipating retail uses in new developments (existing bldgs are not required to meet this standard). At the ground floor, ceiling heights are a critical part of making a retail space inviting and what makes a building feel comfortable for peds on the sidewalk next to it. Note that ground floor retail space may be occupied by other uses initially, but will be available for retail uses in the future when there is demand. Minimum interior heights ensure that ground floor space will meet the needs of future retailers, and provide flexibility for reuse of buildings.
	<i>Remove condition on grocery store requiring 100 du.</i> Housing above uses is good - provides patrons - but shouldn't require. Developer may choose to provide anyway. <i>Provide more incentives to attract one.</i>	Hancock/Segale/ 3.26.09 & Ex. 21/ 6.11.09 3.26.09/Mall 4.9.09/AEKberg/PC	This restriction has been removed from the revised Plan.
	P 25 & 31. Corner store location criteria. When a corner store is located in a larger building that extends down the street, where do the corner store criteria end, and the normal bldg requirements begin?	Ex. 21/ 6.11.09/Hancock/Segale	This restriction has been removed from the revised Plan.
	<i>Make nightclubs a conditional use in residential areas.</i>	Hancock/Segale/ 3.26.09	Nightclubs are already not permitted in the residential areas of the SC area (the TOD neighborhood). They are a permitted use in the Regional Center, Commerical Corridor and Pond Districts, where they can contribute to the night life and entertainment uses.
1	What is the difference between Veterinary Clinic & Animal kennels and Shelters? If none, why are they regulated differently?	LPeterson/PC (comment submitted in email to staff).	These uses are treated similarly under the revised Plan.
2	Does "vehicle" include boats, planes, trailer, snowmobile, motorcycle, etc? (C5)	LPeterson/PC (comment submitted in email to staff).	No. City definition includes "mechanical devices capable of movement by means of wheels, skids or runners of any kind...". Based on this, boats would not be included.
3	<u>Is vehicle storage OK if within an enclosed space with a presentable facade that meets frontage requirements?</u> (C5) Assume the focus of C5 is "external" open yard storage. Also assumes huge indoor showrooms are not conducive/consistent with TUC goals.	LPeterson/PC (comment submitted in email to staff).	No. Showrooms are permitted. The use condition excludes outside vehicle storage or maintenance lots. Recommendation: No change.
4	(c6 as applied to vehicle rental or sales). Do large luxury RVs require commercial drivers license, and if so should they be allowed in WP district?	LPeterson/PC (comment submitted in email to staff).	Recreational vehicle (RV) operators do not require a commercial drivers license when driving an RV for non-commercial purposes.
5	Is C9 redundant of C5?	LPeterson/PC (comment submitted in email to staff).	The use conditions have been streamlined in the revised Plan.
6	Is outdoor seating/dining & external displays allowed? Should be encouraged to provide sidewalk level activity.	LPeterson/PC (comment submitted in email to staff).	Yes, public frontage types include a pedestrian zone wide enough to provide ample room for activities such as outdoor dining, kiosks, food carts, flower stalls. Shopfront private frontage type contains provisions for setbacks in facade for restaurant dining.
	Can you allow big box uses in the northern part of the TUC if the outside is designed "pedestrian friendly" (modulated, no blank walls)?	LPeterson/PC (comment submitted in email to staff).	Bulk retail is allowed in the Regional Center but not in the TOD or Pond Districts. Even if the exterior was well designed the use would require loading areas and truck deliveries and would not foster walkability.
	Chart - Convention center. Consider allowing at ground level if lined with retail/active uses along sidewalks.	4.9.09/CParish/PC	The use conditions have been streamlined in the revised Plan and the upper floor requirement has been removed..
	Eating & drinking establishments. Clarify definition on page 24 to clarify/differentiate between restaurants with bars, and drinking establishments.	4.9.09/AEKberg/PC	The Plan now has 2 categories: Bars, cocktail lounges, nightclubs & pool halls; and Restaurants with associated cocktail lounges and sidewalk cafes. Brew Pubs is also a separate use.
	Chart - gas stations. Plan proposes allowing only 1 station in the TOD station district (along the east side of WVH). Consider allowing more to foster competition.	4.9.09/AEKberg/PC	The use conditions have been streamlined in the revised Plan and the restriction allowing only 1 in the district has been removed.
	chart - Post office. Permitted in all districts except WP. Should permitting them in WP be considered?	4.9.09/CParish/PC	The original chart listed POs as permitted in WP, but not in CC. POs act more as a business and personal service, and are an excellent street level activity generator. As such, their location is really more appropriately limited to the northern part of the urban center. Recommendation: Remove as a permitted use in WP.
	With regard to housing in this area, do you have a recommendation for the balance between rental and owner occupied units? How about recommendations for the balance of unit sizes to account for family size, socioeconomic level, age, etc?	3.11.09/LPeterson/PC	The plan does not distinguish between the different varieties of multi-family housing, the market would decide what is built.
	Any thoughts on what part senior housing would play in this area? Further, what about assisted living facilities?	3.11.09/LPeterson/PC	The plan does not distinguish between the different varieties of multi-family housing, the market would decide what is built. Senior housing and continuing care retirement facilities which provide for a range of senior housing types are proposed to be allowed.

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	If we don't already restrict the sales of products such as "fortified wines" (see this related Seattle website -- http://www.cityofseattle.net/BARthur/PCN/public_safety_AIA.htm), should we in the TUC?	3.11.09/LPeterson/PC	Tukwila does not have an alcohol impact area like Seattle. If the sales of this type of alcohol became a concern it would be addressed through the State Liquor Control Board rather than the Tukwila Zoning Code.
	Does "residential care facility" include nursing facility?	4.9.09/AEKberg/PC	No, convalescent and nursing homes are not permitted uses in the urban center. The term has been changed to continuing care retirement facility to match the definition in the Zoning Code.
	Property directly east of Wig development should be designated as "Commercial Corridor.	5.14.09/GMalina/PC	Property is currently zoned Pond District. Major differences: under CC, residential, lodging, business services, and some cultural and educational uses would not be permitted. Commercial services, such as repair shops, gas stations, kennels, bulk retail, and outdoor recreation would be permitted. Also, it is located far away from SC Pkwy, the main thoroughfare for the commercial services & regional-serving retail. Based on past discussions with property owner, staff kept district the same anticipating the entire area between the Pond & Minkler would redevelop at the same time. Recommendation: no change.
	Grocery stores - what incentives can be used to get one to locate in SC area?	5.21.09/AEKberg/PC	In the interim Seafood City, a full service grocery store, has located in the Regional Center.
	Can you build a grocery store and/or pharmacy so that upper story uses can be added at a later date?	5.21.09/LPeterson/PC & AEKberg/PC	The requirement for upper story uses has been removed from the revised Plan. There are significant practical difficulties with adding additional stories to a building at a later date.
	What are the businesses that will spur housing, and what incentives can the City provide to get them to locate here?	5.21.09/AEKberg/PC	Housing tends to be fostered by proximity to high capacity transit and amenities such as parks, trails, libraries and schools.
	Police are considering a storefront facility on 1st floor of the Mall. Would this be permitted?	5.28.09/GMalina/PC	A fire/police station, because of noise, traffic and 24-hr activity, should be a conditional use. A fire/police neighborhood service center that is more of an office use would be permitted outright in the revised Plan.
	Cars & safety. Indoor storage better because during earthquakes cars can "hop" around. Good examples of indoor vehicle storage/display in Renton Motorcycle Co., Memory Lane Motors.	LPeterson/PC (comment submitted in email to staff).	Comment noted.
18 18.28.011 Use Standards	1. Add to the end of 18.28.011.1: <u>iii) The TUC Regional Hub—consisting of the Southcenter Mall, which is bounded by Tukwila Parkway to the north, Andover Park West to the east, Strander Boulevard to the south, and Southcenter Parkway to the west— is the economic anchor for the entire Tukwila Urban Center Plan area. Development in this block has unique architectural form and function: pedestrian spaces and shopfronts are provided both inside and outside; patrons visit multiple sites in a single trip; and visitors are offered a variety of retail and dining options within walking distance of one another. The TUC Plan recognizes that the TUC Regional Hub is a distinctive facility important to the continued vibrancy of the TUC Plan Area. Accordingly, certain development standards will not be applied in the Regional Center Hub.</u>	Ex. 16B/ B.Carson&S.Hamilton/6.11.09	Due to the proposed changes in the current draft including removal of some form based requirements and use conditions many of these issues have been addressed. See below for further discussion.
19 18.28.011 Use Standards	1. Change the Chart to add the following references under "Conditions":	Ex. 16B/ B.Carson&S.Hamilton/6.11.09	
	C10: Permitted on ground floor in TUC Regional Hub	Ex. 16B/ B.Carson&S.Hamilton/6.11.09	The requirement for upper story uses has been removed from the revised Plan.
	C11: Permitted outright in TUC Regional Hub		See comments on specific uses below
	C12: Allowed in TUC Regional Hub, if existing prior to adoption of this plan		These existing uses would be grandfathered. Don't need this footnote. Recommendation: No change.
19 18.28.011 Use Standards	2. Change the following Conditions to uses in "Regional Center":	B.Carson&S.Hamilton/6.11.09	
	• Retail—Pharmacy/Grocery Anchors (over 15k sf): (C2)		General retail is allowed without conditions throughout the use districts so there is no need to make this change.
	• Retail—Repair Shops (commercial/automotive): (C12)		These existing uses would be grandfathered. Don't need this footnote.
	• Retail—Business & Personal Services—Veterinary Clinic..., and doggy daycare: (C10)		The restriction on upper story uses has been removed from the revised Plan.
	• Office—Professional: (C10)		
	• Office—Medical and dental (outpatient only): (C10)		
	• Office—Research: (C10)		
	• Office—Government Services: (C10)		
	• Lodging—Hotel, extended stays...: (C10)		
	• Civic and Institutional—Education & Instructional Facilities: (C10)		
	• Civic and Institutional—Convention/Exhibition Facilities: (C10)		
	• Civic and Institutional—Religious Institutions: (C10)		
	• Civic and Institutional—Fire and Police Stations: (C11)		A fire/police station, because of noise, traffic and 24-hr activity, should be a conditional use. A fire/police neighborhood service center that is more of an office use would be permitted outright in the revised Plan.
	• Civic and Institutional—Daycare Center: (C10)		The restriction on upper story uses has been removed from the revised Plan.
	• Residential—Multifamily: (C10)		
	• Residential—Attached Single Family: (C10)		
	• Special Use Configuration—Drive-in or Drive-thru...: (C12)		Drive in and through use configurations are permitted in the Regional Center under the revised Plan.
19 18.28.011 Use Standards	3. Change this section:	Ex. 16B/ B.Carson&S.Hamilton/6.11.09	
	Notes		
	N1: Other uses not specifically listed in this Title are permitted should the Director determine them to be:		This language is included in both the original and revised drafts of the Plan.

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	a) similar in nature to and compatible with other uses permitted outright within a District; and		
	b) consistent with the stated purpose of a district; and		
	c) consistent with the policies of the Tukwila Urban Center Plan		
	<u>N2: Uses located within the TUC Regional Hub, which are accessed only via the interior pedestrian walkways of the mall are not subject to this Use Standards Chart.</u>		The restriction on upper story uses has been removed from the revised Plan. However all uses must comply with the list of permitted uses within a specific use district.
	<u>N3: Accessory uses such as lobbies or common areas for multifamily developments or lodging establishments are allowed on the ground floor</u>		The restriction on upper story uses has been removed from the revised Plan.
Scale Standards			
21 Scale Standards Chart	1. Change "Legend" as follows:	Ex. 16B/ B.Carson&S.Hamilton/6.11.09	
	(A1) 1 floor & 25 ft (only for anchor or in TUC Regional Hub)		Minimum building height requirements have been removed from the revised Plan, except along Baker Blvd, where future City investments are anticipated along the Mall to Station corridor.
	(A3) Except in the TUC Regional Hub , floors above 12 must be residential uses or housing, or, residential uses or housing equal in area to the total non-residential square footage on floors 13 through 18 must be constructed in the Urban Core or General Urban zones. If affordable or senior housing is constructed, the required area may be reduced by up to 1/3 by the DCD Director as a special permission decision.		This incentive was specifically crafted to address the potential for high rise uses within the Regional Center District. It has been replaced in the revised Plan with two incentives, one for constructing frontal improvements and one for construction of residential units.
	(A4) Does not apply in TUC Regional Hub		Note: A4 excludes the mall from the maximum tower bulk and maximum block size - provision of new streets requirements. The tower bulk regulation has been removed and the applicability of new maximum block face length regulation has been clarified in the revised Plan.
21	2. Change references to the following Regulations under "Urban Core Standards":	Ex. 16B/ B.Carson&S.Hamilton/6.11.09	
	· 18.28.031 Building Height—Minimum Height: 2 floors & or 25ft (A1) min		Minimum building height requirements have been removed from the revised Plan, except along Baker Bl.
	· 18.28.032 Special Height Limits—TUC Blvd Edge (within 65 feet): 4 floors and 54 ft max 6 floors and 84 ft max		The TUC Blvd Edge height limit has been removed from the revised Plan.
	· 18.28.033 Maximum Tower Bulk—Maximum Diagonal: A4		The tower bulk regulation has been removed from the revised Plan.
	· 18.28.034 Maximum Block Size—Provision of New Streets: A4		The applicability of new maximum block face length regulation has been clarified in the revised Plan.
Height			
	Maximum heights within SMP & SCP conflict. Within river buffer, 15' height applies; outside 45' (SMP). Within 0-125' of OHWM, 15' max applies; outside 45'.	Ex. 4/ 4.23.09/Michaelis/Barnaby's	The revised plan removes these standards and instead defers to the SMP.
	Height Limitations are inconsistent with SMP. <i>P.21, scale standards chart, 18.28.032 special height limits urban river edge, and P. 26 Section 5) Urban River Edge Limit, substitute the term "River Buffer" for 125'. A property owner may reduce the buffer if riverbank is sloped to a 2.5:1 slope. The term River Buffer is used in the SMP to mean the established buffer whether it is 100' or reduced through grade changes.</i>	Ex. 18/ 6.11.09/Michaelis/Barnaby's	
	Height limits are reasonable and the reconnection of the street grid will lead to more walkable neighborhoods as the area redevelops. Height limits make sense: higher in areas planned for more intensive development, stepping down in neighborhoods.	4.23.09 & Ex. 11/ 6.3.09/ Cascade Land Conservancy	Commenter supportive of proposed regs
	Property (Residence Inn) is subject to 3 different scale standards district (river, TUC Blvd edge & general urban). However, nearly the entire property is also subject to SMP 15' limitation within 125' of river's edge. This effectively eliminates the current use of property & future redevelopment.	Ex. 15/ 6.11.09/ C.Maduell/Residence Inn	The scale standards regulate height for future construction and do not eliminate future redevelopment. The allowable heights are higher than the existing structure. The current use is a permitted use under the proposed plan. The draft plan cannot address the SMP river buffer setback issue.
	Pond District. The plan may be forcing mixed use developments in the Pond District by requiring multi story buildings with a minimum height for every building in the Pond District:	Ex. 12/ 6.9.09/Wig	Minimum building height requirements have been removed from this District in the revised Plan.
	If office/residential uses are above retail, one would need to first construct first floor retail on piles and structural slab (thereby costing more \$\$ up front) and later add upper floors for office/residential when the market is ready for such uses. <i>So one change you may consider is that not all buildings are required to be multistory in the "initial development" as the market for office/residential on upper floors may not be ripe when retail is.</i>	Ex. 12/ 6.9.09/Wig	Minimum building height requirements have been removed from this District in the revised Plan.
	If each use is in separate buildings, property owners will need to allocate land for each use. This can be costly due to the land carry cost if residential and office markets are not ready when retail is. In this case retail will need to be along the main arteries in one story buildings and multi story office/residential buildings in the back around the pond. <i>So another change you may consider is to require multistory buildings only next to the pond and not elsewhere on the property. piles may be required for multistory buildings.</i>	Ex. 12/ 6.9.09/Wig	Minimum building height requirements have been removed from this District in the revised Plan.
	Scale standards chart, pg 21. Delete minimum 2 story requirement, and leave 25' minimum for ALL development, not just anchors.	3.26.09 & Ex. 21/ 6.11.09/ Hancock/Segale Mall/3.26.09	Minimum building height requirements have been removed from the revised Plan, except along Baker Blvd.
	minimum 2 story height requirement is too onerous. Cheesecake & banks wouldn't have happened. In THIS market, 2nd floor rental rates can't support structured parking costs.		
	Target corporation does have certain flexibilities to design building to meet the site (when asked about 2 story development)	Target/4.23.09	Minimum building height requirements have been removed from the revised Plan. Urban Land Magazine (ULM) states that "... compact urban retail formats by WalMart, Target, and Home Depot, are a promising indication that even the big guns are recognizing both the market for and the benefits of urbanism." (June 2009). Target also mentioned that they needed to see heavy foot traffic before approving a 2 story format.
	1 <u>Should scale regs apply to public civil engineering structures, e.g. Strander overpass?</u> Visual/physical mass can create access barriers to adjacent properties. Should other options be developed or should bridge be relocated?	LPeterson/PC (comment submitted in email to staff).	In the past we have said that zoning standards (height, setbacks etc.) do not apply to structures in the right-of-way. Generally those standards are not written to allow for the location and functional requirements of infrastructure.

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	2 Why is a height limitation applied to TUC Blvd edge, and why are the setback & height limits appropriate values?	LPeterson/PC (comment submitted in email to staff).	This standard has been removed from the revised Plan.
	3 Are the special height restrictions in 18.28.012 for the area around the River consistent with the SMP? Including the "one story increase exception"?	LPeterson/PC (comment submitted in email to staff).	The plan defers to the proposed provisions of the SMP, including those related to height.
	4 <u>Does the plan protect views?</u> Specific concern re: views of Mt Rainier from Wfield Mall food court. Is city obliged to protect these views by limiting height? Does plan protect views residential views of river from houses on the hill west of I-5?	LPeterson/PC (comment submitted in email to staff).	Tukwila does not have any view protection requirements other than the state mandated protection of views from single family residences to shorelines of the state.
Maximum Block Size			
	Max block size & new street requirements would take away from parking. Would need to increase size of parking structure, which increases cost. Existing agreements with tenants would necessitate additional parking, additional cost.	Mall/3.26.09	Comment noted. This is a policy decision and the regulation would only apply when anticipated traffic impacts from new development triggers the need for add'l mitigation. See Applicability section.
Form map & Standards Chart			
22 18.23.013 Form Map	1. Change Form Map as shown in attached figure, changes include: · Change all corridor types bordering the TUC Regional Hub to "Commercial Corridor" · Remove all Special Corner Locations at the TUC Regional Hub · Remove all "Shopfront Required" designations along Andover Park West and Strander Blvd · Remove all pre-located streets from TUC Regional Hub	Ex. 16 B/ B.Carson&S.Hamilton/6.11.09	Staff has tried to address these concerns in a different fashion. The commercial corridor has been changed to a Freeway Frontage Corridor while the Urban Corridor has been retained. This ensures that wider sidewalks will serve pedestrians at the transit center and along Strander Blvd to ensure public safety. In the revised Plan this has been replaced with a special corner feature requirement which is met through distinctive building design. The shopfront requirement has been removed from the Urban Corridor in the revised Plan, except along Baker Blvd. The pre-located streets in the Mall have been removed from the revised Plan.
22	2. Fix typo in Form Map Legend—Special Corner Location: Special Corner Location (Section 18.28.041 <u>0</u> 7)	Ex. 16 B/ B.Carson&S.Hamilton/6.11.09	This section has been redrafted in the revised Plan.
22	<i>Fig 18.28.013 form map. Remove the Urban Waterfront Corridor designation from the Barnaby property. Requirement for a Riverwalk is burdensome on this property and its use would be limited. Riverwalk requirement on east side should be applied north of Strander, with the route then crossing the river and continuing on west side; otherwise, riverwalk would dead end on these properties.</i>	Ex. 18/ 6.11.09/Michaeli s/Barnaby's	The waterfront corridor types have been removed from the revised Plan due to the long term goal of laying back the levees.
23 Form Standards Chart	1. Suggestion: add a citation number to Form Standards Chart	Ex. 16 B/ B.Carson&S.Hamilton/6.11.09	This section has been redrafted in the revised Plan.
23	2. Edit Chart to add the following references under "Conditions": <u>C6: Does not apply in TUC Regional Hub</u> <u>C7: Does not apply in TUC Regional Hub, except for buildings within 15 feet of a public right-of-way.</u>	Ex. 16 B/ B.Carson&S.Hamilton/6.11.09	(Note: Refers to public frontage improvements) This is no longer relevant due to the changes discussed below.
23	3. Add the new references to the following Regulations under "Commercial Corridor Standards": · 18.28.042 Public Frontage Improvements, required or not required: <u>C6</u> · 18.28.046.9 Private Frontage Types, a) shop-front: <u>C7</u> · 18.28.046.9 Private Frontage Types, b) corner entry: <u>C7</u> · 18.28.046.9 Private Frontage Types, c) Grand Entry: <u>C7</u> · 18.28.046.102.2 Building Length Massing: <u>C7</u>	Ex. 16 B/ B.Carson&S.Hamilton/6.11.09	This section has been removed and replaced with an individualized trigger at 18.28.030B. Private frontage type requirements have been removed from the revised Plan, except for requiring "shopfronts" for new commercial uses facing Baker Blvd and the north edge of Tukwila Pond. Building length standards have been removed from the revised Plan and the design goal is addressed through building modulation requirements.
	4. General Comment: Westfield has requested all corridor types abutting the TUC Regional Hub be changed to "Commercial Corridor" and all Special Corner Locations be removed. Westfield is not commenting specifically on the "TUC Boulevard" corridor standards or the Special Corner Locations standards at this time, but will provide detailed comments on these standards if future drafts of this TUC Plan make the TUC Regional Hub subject to TUC Boulevard corridor requirements or Special Corner Locations.	Ex. 16 B/ B.Carson&S.Hamilton/6.11.09	Comment noted. These sections have been extensively redrafted in the revised Plan.
	Property (Residence Inn) is subject to 3 different corridor standards (waterfront, TUC Blvd & Commercial Corridor). The form regs for these corridor types are myriad and unduly onerous.	Ex. 11/ 6.11.09/C.Maduell/Residence Inn	Comment noted. Many properties in the urban center are subject to multiple corridor standards. Comment does not provide specific details as to what makes the standards unduly onerous.
	(Chart or Text?) Want a reference in the Natural River Corridor standards, Architectural Design Regs, that the regs of the Shoreline Master Plan apply along this corridor.	4.9.09/GMalina/PC	This is provided in Applicability 18.28.030 A 3.
Use Definitions			
24 18.28.021 Use Category Definitions	1. 18.28.021 Use Category Definitions, (1) Retail Change this sentence: i) Definitions (1) Anchor: A large store that generates a significant number pedestrian traffic and that increases the traffic of shoppers at or near its location. Consumers, attracted by the anchor store, are likely to visit the location, and thus nearby stores' sales and profits are increased by the presence of the anchor.	Ex. 16 B/ B.Carson&S.Hamilton/6.11.09	The revised Plan will default to the existing definitions in the Zoning Code. The revised Plan no longer includes regulations for "anchors".
	2. 18.28.021 Use Category Definitions, (1) Retail—Change this sentence: ii) Special Conditions (i) Minimum interior height for ground level retail of all types is 45-feet from floor to dropped ceiling, and 18 feet from floor to floor plate and the structural ceiling may be no lower than 15 feet . Use conversions in an existing building are not required to meet this requirement.	Ex. 16 B/ B.Carson&S.Hamilton/6.11.09	The intent of this regulation is to create spaces that are marketable for retail uses. The Building Official recommends a minimum 15' from floor to dropped ceiling. Revised Plan Recommendation: Minimum interior height for ground level retail of all types is 18 feet from floor to floor plate. Use conversions in existing buildings are not required to meet this standard.

Page # in Plan	Comment (suggested language changes in bold strikethrough/underline)	Exhibit #/ Date/Source	Staff comment/analysis/options
26 18.28.030 Scale Regulation s	1. To 18.28.032 Special Height Limits, amend the sentence as follows: 2) TUC Boulevard Edge Limit i) This Special Height limit applies to all development located within 65 feet of the back-of-sidewalk indicated on Figure 18.28.012 Scale Map, with exceptions noted.	Ex. 16 B/ B.Carson&S.Ha milton/6.11.09	(Note: mall is requesting a greater number of floors within 65' of the corridor than is proposed by the draft plan.) The TUC Blvd Height Limit has been removed from the revised plan.
27 18.28.035 Permitted Corridor Types...	1. Comment: please add a definition of "New Streets" to clarify that these are not necessarily public streets and can be converted from existing drive aisles.	Ex. 16 B/ B.Carson&S.Ha milton/6.11.09	The original and revised Plan already specified that new streets can be publicly or privately owned and maintained. Stating that they can be converted from existing drive aisles is not required.
Building Orientation			
	P23, form standards chart, 18.28.041 building orientation. Chart currently requires that any building on the property be oriented towards both Strander & the River. This creates hardship on the property. <i>Recommend that new buildings be required to front either Blvd Corridors or the Waterfront Corridor, but not both.</i>	Ex. 18/ 6.11.09/Michaeli s/Barnaby's	This provision is already in place at Corner Parcels - buildings on corner parcels shall have an entrance oriented towards at least <u>one street to be determined by the developer.</u>
Public Frontage Improvements			
	street furniture. Should be designed to deter loitering. Do plan need to address "free running"? (prohibit free running?)	LPeterson/PC (comment submitted in email to staff).	No. Free runners love to jump over all obstacles, the more the better!
	There is mention of single species of trees in 18.28.042.4 (subsection A.iii.2 is typical). Previously, a planner mentioned that we were <u>moving away from blocks of single species trees</u> , because if a disease/insect threat to that species hit a block, all the trees could be lost. <u>What is the direction on street trees?</u>	LPeterson/PC (comment submitted in email to staff).	This will be coordinated with the development of a new street tree plan. It makes sense to limit to 2 or 3 choices of trees.
	Why are public frontage requirements duplicated in 18.28.052.3 versus just referencing the existing ones in 18.28.042.4?	LPeterson/PC (comment submitted in email to staff).	At that point we felt it was cleaner to keep these separate. However, the revised draft SCP will be organized differently to reduce redundancy. Existing public frontage will not be diagrammed. New public frontage and new thoroughfare cross-sections for a corridor will be depicted on the same page.
	In the sections of 18.28.042.4 (subsection C.iii.3 is typical) that require continuous landscaping strips, how does one get from the "landing zone" to the "sidewalk"? Is the landscaping grass -or- shrubs with stepping stones -or- ?	LPeterson/PC (comment submitted in email to staff).	Continuous landscape strips are required only where there is NO on-street parking, so pedestrians shouldn't have to cross.
29, 30 18.28.042. 4 Public Frontage Types	1. General Comments for Urban Corridor and Commercial Corridor Types: Tree spacing could interfere with tenant visibility and a more flexible requirement that results in the same ultimate number of trees would be preferable. Light fixture heights will need to be carefully coordinated with available fixtures, spacing and height. The prescribed heights may result in undesirable, unintended consequences. A performance standard rather than a prescriptive standard would be more appropriate.	Ex. 16 B/ B.Carson&S.Ha milton/6.11.09	The language gives only a maximum tree spacing, so some flexibility in location is allowed. The light fixture spacing is listed as a performance standard to meet desired lighting levels. The original and revised Plan also include landscape regulations regarding maintaining visibility of entryways and signage.
Private Frontage			
	Is there a max depth to a Forecourt (18.28.043.9.E)?	LPeterson/PC (comment submitted in email to staff).	All private frontage type requirements except for the shopfront have been removed from the revised Plan.
	With regard to 18.28.043.9.A, could you <u>provide photo samples</u> of the 80%, 70% and 50% to get an idea about how much product a store keeper can display. Just beyond the 3 feet from the glass limit, can they construct a solid wall (either wall to ceiling or half wall to keep patrons from disturbing product display)? Can they have animation (could be a small models with moving parts or something like a model train layout in a hobby store) or video displays within the 3 feet?	LPeterson/PC (comment submitted in email to staff).	Staff will provide photos or diagrams during the next review cycle. Walls are allowed behind display windows, see 18.28.200. The issue seems to be are these considered signs, and if so, are they permitted? The new sign code has addressed these issues.
	Most of the plan views in 18.28.043.9 happen to show swing type doors swinging inward. Didn't see anything in 18.28.103 that prohibits outward swinging doors, revolving doors, or automated sliding doors. Would we want to keep doors from swinging out into sidewalk area? Are sliding doors appropriate near corridor sidewalks (probably okay where shopping carts used for ease of getting cart through door to car)?	LPeterson/PC (comment submitted in email to staff).	The plan does not regulate which way doors open or operate.
31 18.28.043 Private Frontage Types	1. Regarding (7) Weather Protection, change this sentence: ii) Weather protection shall create a covered pedestrian space a minimum of 5 feet in depth, with an overhead clearance between 8 and 12 feet, unless otherwise allowed. See Section 18.28.103...	Ex. 16 B/ B.Carson&S.Ha milton/6.11.09	This standard has been moved to the Southcenter Design Manual.
32 18.28.043. 9 Private Frontage Types	1. Under (A) Shopfront, change this paragraph:...Shopfront and awning design should vary from shopfront to shopfront, but a single building may have a uniform design theme (see Section 18.28.043.7 Weather Protection for additional standards and guidelines on awnings and canopies). Shopfronts are built up to the back of the public sidewalk, and any setback areas must be treated as extensions of the sidewalk space. Recessed entrances are permitted with a maximum width of 15 feet. Restaurant shopfronts may set back a portion of the shopfront façade to create a colonnaded outdoor dining alcove that is a maximum of 12 feet deep. The set back portion of the façade that is oriented toward the street must have display windows. The alcove must also have columns along the sidewalk at a maximum spacing of 15 feet on center. In the TUC Regional Hub, the maximum depth of a dining alcove may exceed 12 feet and the maximum spacing of the alcove columns may exceed 15 feet, as long as the design meets the intent of this section.	Ex. 16 B/ B.Carson&S.Ha milton/6.11.09	Recommendation: Staff agrees with the intent of this comment and has edited the shopfront standards. In the revised draft the shopfront treatment will only be required for new commercial buildings on Baker between the Mall and Station and facing Tukwila Pond on the north edge of the Esplanade (once it is constructed).
33 18.28.043. 9 Private Frontage Types	1. Under (C) Arcade, add the following text to the end of the paragraph: In the TUC Regional Hub the minimum depth and maximum spacing of columns may exceed these standards, as long as the design creates a pedestrian scale with a defined covered area.	Ex. 16 B/ B.Carson&S.Ha milton/6.11.09	All private frontage type requirements except for the shopfront have been removed from the revised Plan.
36 18.28.044 Setbacks	1. Under Front Yard Setback, amend the sentence as follows: b) Regulation i) All development shall be sited such that minimum and, if applicable, maximum Front Yard Setback dimensions are met.	Ex. 16 B/ B.Carson&S.Ha milton/6.11.09	Maximum setbacks have been eliminated from the revised Plan, except for new construction along Baker Blvd and, once it is constructed, the north edge of the Tukwila Pond Park esplanade.

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	2. Under Side Yard Setback, add the following text: a) Definition i) Side Yard Setback is defined as the distance from the side property line to any building as shown in Figure 18.28.044.2 Side Yard Setback. There are no Side Yard Setbacks for interior lot lines of a binding site plan.	Ex. 16 B/ B.Carson&S.Hamilton/6.11.09	Binding site plans apply landscape and setback standards to the site as a whole so the change is not necessary, see 17.16.010. Recommendation: do not make this change.
	3. Under Rear Yard Setback, add the following text: a) Definition i) Rear Yard Setback is defined as the distance from the rear property line to any building as shown in Figure 18.28.044.3 Rear Yard Setback. There are no Side Yard Setbacks for interior lot lines of a binding site plan.	Ex. 16 B/ B.Carson&S.Hamilton/6.11.09	Binding site plans apply landscape and setback standards to the site as a whole so the change is not necessary 17.16.010. Recommendation: do not make this change.
Build to corner & Special Corner Location			
	1 Why have this requirement at SE corner of APE & Tuk Pkwy if goal is to have buildings fronting street on River side of parcel?	LPeterson/PC (comment submitted in email to staff).	This standard has been removed from the revised Plan.
37 18.28.047 Special Corner Location	1. Under Special Corner Location "Regulation," fix the typo: i) Development at Special Corner Locations shall include buildings that satisfy Section 18.28.049.6 Build to Corner Requirements.	Ex. 16 B/ B.Carson&S.Hamilton/6.11.09	This standard has been removed from the revised Plan.
Maximum Building Length			
	Book II, Page 38, Maximum Building Length, I did not see a reference to maximum building length allowed. Is one to assume that we could have a building a full block long? Would this be the proposed blocks or the existing super blocks?	Ex. 6/ 5.28.09/D.Tomaso	This standard has been removed from the revised Plan in favor of modulation requirements.
New Streets			
	Is a street going in along the south side of the pond as part of the city's plan to break up super blocks? The public frontage for along the park (18.28.042.4.B - see Tuk Pond Frontage diagram/illustration p. 29) shows no curb, while in 18.28.052.3.B (Pond Street diagram p. 40) it shows a curb, which is further confused by note L3 on page 23 (Form Standards Chart).	LPeterson/PC (comment submitted in email to staff).	Incorrect in original Plan. In Revised Plan this street is configured as follows: N side - defined by Pond Park boundary and the cement sidewalk covering underground utilities. S side - 15' sidewalk, including tree wells at curb. Parallel parking on south side only.
	New street requirements are very specific. Has PW reviewed?	5.14.09/BARTHUR/PC	Staff has developed and reviewed the street cross sections for existing and proposed streets in a series of 4 meetings with both PW and Fire Departments.
41	Sub-urban street, i.1. What does a secondary street for "internal" circulation mean? For internal parcel, or as internal to the WP district?	5.14.09/?	Recommendation: Delete the phrase "for internal circulation". Sub-urban streets are intended to break up the blocks in the WP district and provide more east/west route alternatives.
	Existing cross sections for new streets don't include bike lanes. Is on-street parking lost? Developer will see this and not plan for it - may not see reference to Walk & Roll plan until too late. <u>How can this be addressed?</u>	5.14.09/CParish/PC	Based on the adopted Walk & Roll plan the new street cross-sections include bike lanes, where applicable.
39-42 18.28.050 Street Regulation s	General Comment: Westfield has requested all pre-located New Streets to be removed from the TUC Regional Hub. Westfield is not commenting specifically on the New Street Types at this time, but if future drafts of this TUC Plan make the TUC Regional Hub subject to New Streets requirements, Westfield will provide detailed comments at that time.	Ex. 16 B/ B.Carson&S.Hamilton/6.11.09	Pre-located streets on the Mall property have been removed from the revised Plan.
Open Space			
	Supports expanded riverwalk and the development of Tukwila Pond. It is important to add parks, open spaces and pedestrian friendly routes to make Tukwila a more livable community.	6.1.09/B.Fletcher/Parks Dept	Supportive of open space concepts.
	Feels that, with 25 acres (6 acres land, 19 water), more park land is required for Tukwila Pond Park.	6.1.09/B.Fletcher/Parks Dept	Future redevelopment around the pond may contribute public spaces that could connect to Tukwila Pond Park.
	The SC area (1000 acres) looks very "grey (concrete) with very little green." Parks Dept plans to collect park impact fees to acquire and develop SC area parks, gathering places and open space, as referred to in the Tukwila Parks, Recreation and Open Space Plan.	6.1.09/B.Fletcher/Parks Dept	Very little funding from the impact fees is directed towards getting new open space in the urban center.
	As mentioned in Walk & Roll Plan, <i>it is important to add improvements that make the UC more friendly to walkers, runners, rollerbladers and bicyclists. The area currently lacks bike lanes or trail connections for non-motorized users.</i>	6.1.09/B.Fletcher/Parks Dept	Supportive of open space concepts including improvements to Tukwila Pond Park and improved pedestrian facilities/sidewalks.
	Concerned with open space, public access, and landscaping requirements. Each corridor requires dedication & construction of improvements, landscaping, lighting, and street furnishings. Also riverwalk. Raises issues of unlawful & unconstitutional exactions, proportionality, nexus, and impose conditions to "relieve a preexisting deficiency."	Ex. 15/ 6.11.09/C.Maduell/Residence Inn	The revised Plan has significant changes from the previous draft including revised thresholds for conformance with regulations. The City Attorney has reviewed and approved these provisions.
	1 Central Green in the Power line ROW. <u>Is the city looking to relocate the power lines?</u> They are an eyesore and limit max height & density planned adjacent to station.	LPeterson/PC (comment submitted in email to staff).	It is expensive to relocate/underground high voltage lines and there are no current plans to do so. The plan no longer recommends a central green under the power lines.
	2 Central Green in the Power line ROW. Does it make sense to dilute the density of the TOD area with a central green?	LPeterson/PC (comment submitted in email to staff).	The plan no longer recommends a central green under the power lines.
	3 Central Green in the Power line ROW. <u>What is planned for the central green</u> - grass with treed edge or active park features (picnic tables, sports courts, etc). Will the Interurban Trail be integrated with green?	LPeterson/PC (comment submitted in email to staff).	The plan no longer recommends a central green under the power lines.
	4 <u>What are the legal concerns re: providing public access?</u> Concerned about potential for comments from developers similar to those heard during SMP re: plazas & street furniture - creating a park for individuals that may have no connection with the use/purpose of development. Does the TMC Loitering/trespass provisions need to be adjusted to accommodate public access to private property?	LPeterson/PC (comment submitted in email to staff).	The City Attorney has no concerns regarding the providing public access, as called for in the SCP. Compliance with the provision of pedestrian open space requirements is necessary when there is a significant intensification of a use or premises from new development, redevelopment or a change in use, as determined by the DCD Director. The City Atty also states that the TMC Loitering/trespass provisions do not need adjusting to accommodate public access to private property.
	5 Will property owners try to challenge open space requirements on the basis that they feel that they are already providing open space via park mitigation fees that the city recently adopted.	LPeterson/PC (comment submitted in email to staff).	As development intensifies, will require some <u>on-site public spaces</u> to mitigate intensification.

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	Would like provision that gives credit to developments for indoor open space, to count as common pedestrian space (comment made in relation to Mall testimony).	4.23.09LPeterson/PC	Recommendation: The revised draft SCP will include provisions for up to 75% of commercial open space to be provided indoors, see 18.28.250 D. Need to define what counts towards meeting this requirement, considering minimum size and type of indoor open spaces - e.g., including the food court eating area and kid's play area, but not spaces such as hallways to bathrooms, or office building corridors.
	Plan needs to address additional <u>publicly owned open space</u> , not just plazas/hard spaces. Tukwila Pond & Riverwalk may not be enough to serve the anticipated populations/employment in the urban center.	5.21.09/BArthur/PC	Will coordinate with Parks Dept.who is planning an update to their Park, Recreation and Open Space Plan.
	What is the LOS standard for parks in the urban center, and do we need more publicly owned parks/open space?	5.21.09/LPeterson/PC	The Tukwila Park, Recreation and Open Space Plan has level of service standards for the entire city (e.g., x feet of trails/1,000 pop), so need is not evaluated based on a neighborhood or area basis.
43 18.28.060 Open Space Regulation	1. To 18.28.061 Provision of Open Space Chart add the following reference to the Legend: (A1) Does not apply in Tukwila Urban Center Regional Hub	Ex. 16 B/ B.Carson&S.Hamilton/6.11.09	Removing the requirement completely does not achieve the goal of providing pedestrian space as the area's built environment intensifies. Recommendation: The revised draft SCP will include provisions for up to 75% of commercial open space to be provided indoors, see 18.28.250 D.
	2. Add the (A1) reference to "Retail" under "Regional Center"	Ex. 16 B/ B.Carson&S.Hamilton/6.11.09	
Landscaping			
	Concerned with open space, public access, and landscaping requirements. Each corridor requires dedication & construction of improvements, landscaping, lighting, and street furnishings. Also riverwalk. Raises issues of unlawful & unconstitutional exactions, proportionality, nexus, and impose conditions to "relieve a preexisting deficiency."	Ex. 15/ 6.11.09/C.Maduell/Residence Inn	Alterations to landscape areas or parking lots shall be made in accordance with the standards in TMC Chapt 18.70. Compliance with new street or public frontage requirements would be required when an individualized assessment by the DCD Director determines the improvements are reasonably necessary as a direct result of the proposed development (e.g., intensification of a use or premises from new development, redevelopment, or a change in use category). Riverwalk improvements have been removed from Plan.
	Plan is very prescriptive regarding landscaping requirements. Need more flexibility.	Mall/3.26.09	Comment noted. However, the comment does not specifically identify the regs that pose a problem so it is difficult to respond. Requirements are very similar to current landscape requirements in effect since 1999, see TMC 18.52.
	Are mini-fences around tree wells on sidewalks, and raised planters on sidewalks permitted?	5.14.09/LPeterson/PC	Public Works response: Raised planters may cause hazard for cars, fences problem for ADA.
	Street tree plan needs to be included as part of the Revised PR Draft. Recommendations for plants inside landscaped tree wells should be included in Revised PR Draft. Don't want just gravel.	5.14.09/CParish/PC	At the direction of our Urban Environmentalist we are moving away from a single species of trees on each street since that increases vulnerability to pests and disease. Staff will be working on an approved street tree list with more detail to be developed as part of the Comp Plan Natural Environment/Landscape Code update.
46 18.28.070 Landscaping Regulations	1. Front Yard Setback Area Landscaping Types, Change this sentence: i) Provide paved pedestrian areas along the back-of-sidewalk that enhance/enlarge the public frontage. Landscaping treatment shall consist of: (1) Front setback areas paved as extensions of the public <u>or private</u> sidewalk.	Ex. 16 B/ B.Carson&S.Hamilton/6.11.09	This section has been reworded in the revised Plan.
Parking			
	<i>Eliminate the minimum parking requirement within 1200 feet of the Sounder station and in the TOD areas, allowing the market to determine how much parking is needed (up to the parking maximum).</i>	Ex. 11/ 6.3.09/Cascade Land Conservancy	Ok for certain uses that would get walk up traffic (small scale retail) but w/out significant on street or public parking, would be wary of allowing office or residential to eliminate parking. There is a provision in the revised code that allows the Director flexibility in setting parking requirements within 600 feet of a transit center.
	PC could consider: 1. eliminating or reducing minimum parking requirements 2. include more provisions for shared parking	Cascade Land Conservancy/4.23.09	The plan already includes provisions for shared parking. As design review occurs, can also address this on a project by project basis.
	<i>Look for opportunities to encourage shared parking between different uses.</i>	Ex. 11/ 6.3.09/Cascade Land Conservancy	
	Sears sells large appliances - requires customer parking to be located close to store and ability to easily access Sears merchandise pick-up area.	Ex. 7/ Sears/5.28.09	The plan does not affect the large amount of surface parking and parking structure adjacent to Sears.
	Concentration of street-oriented developments on the TUC Blvds at Mall's borders appear to replace convenient parking and demand construction of additional parking decks.	Ex. 7/ Sears/5.28.09	Because of the mall's existing parking agreements with tenants,if the mall expands in the future, it will most likely displace parking and require structured parking <u>regardless</u> of where the expansion takes place.
	General requirements limit the number of drive entrances and lanes which is contrary to convenient mall layouts.	Ex. 7/ Sears/5.28.09	Comment noted. The vision calls for increased pedestrian orientation in the TOD & RC districts. One aspect required to implement this is restricting the number and size of curb cuts, so that conflicts between vehicles entering/exiting parking lots and pedestrians on the sidewalk are minimized. The plan does not call for eliminating the number of drive entrances that currently exist, and instead acknowledges these.
	Traffic circulation should be unencumbered.(related to on-street parking in the mall)	Ex. 7/ Sears/5.28.09	comment noted. However, the comment does not specifically identify the regs that pose a problem so it is difficult to respond.
	Sears has large appliances - parking needs to be located close to entrance so that shoppers can get them to their cars. Street grid within parking would constrain parking supply and add to congestion & circulation problems.	Ex. 7/ Sears/5.28.09	The draft regs do not propose removing parking from in front of Sears. There is currently a traffic circulation grid throughout the mall. Any additional sq footage added to the mall will impact parking supply, with or without the regs. Draft regs would add more sidewalks for pedestrians, making it safer to walk through the parking lots to the building entrances.
	1 Move away from parking regs that create large deserts of surface parking. Should the city enable density by building central parking garages?	LPeterson/PC (comment submitted in email to staff).	Book III suggests preparing a feasibility and location study for public parking structures in the urban center to help answer this question.
	2 Should the plan use incentives to encourage motorcycle/scooter parking and/or electric vehicle-only pking stalls w/charging stations, such as reducing required # of stalls?	LPeterson/PC (comment submitted in email to staff).	Electric Vehicle Charging Stations, Levels 1-3 have been added to the list of uses allowed by District.

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54 18.28.093 General Parking	Westfield has several general questions and concerns about how Vehicular Access and Parking Lots standards will be applied to the Mall:	Ex. 16 B/ B.Carson&S.Ha milton/6.11.09	
18.28.093. 1.ii.1	1. Vehicular Access--Curb Cuts and Driveways, change this section: ii) Curb Cuts and Driveways (1) When access to parking facilities and loading areas are provided from front or side streets, the maximum number of curb cuts associated with a single development, shall be one two-lane curb cut or two one-lane curb cuts. This requirement does not apply in the TUC Regional Hub. (2) The maximum width of driveways/curb cuts is 12 feet for a one-lane and 24 feet for a two-lane driveway. In the Workplace District, the maximum width of driveways/curbcuts is 35 feet. This standard may be varied to allow for truck maneuvering and fire access. (3) The total width of parking access openings on the ground level of structured parking may not exceed 30 feet. This requirement does not apply in the TUC Regional Hub.	Ex. 16 B/ B.Carson&S.Ha milton/6.11.09	Recommendation: suggest adding "per 500 linear feet of street frontage. Shared driveways and new public or private streets do not count against this total." to the end of the sentence.
			Recommendation: suggest adding a sentence "These standards may be varied when there is a demonstrated conflict with truck maneuvering or fire access that cannot be addressed otherwise."
			Recommendation: add "when fronting on a public or private street."
	2. Parking Lots—Setbacks & Landscaping: change this section: a) Setbacks & Landscaping ii) Surface parking lots shall be buffered from adjacent commercial development with Moderate Screening (see Section 18.28.071.3-Landscape Types). iii) Surface parking lots shall be buffered from adjacent residential development with Heavy Screening in the side and rear setback areas (see Section 18.28.071.3-Landscape Types).	Ex. 16 B/ B.Carson&S.Ha milton/6.11.09	Recommendation: Delete this requirement, cars don't really need to be buffered from cars. Recommendation: Retain this requirement to provide a more hospitable environment for residential development.
	The requirement for landscape in the parking fields will have a negative impact on the ability of Westfield to meet department store requirements for parking and visibility. This entire section should be revised to represent a standard more accommodating of retail developments. Generally, the City should rethink the application of screening in a mixed-use district. Some screening might be appropriate between abutting properties in different use zones.	Ex. 16 B/ B.Carson&S.Ha milton/6.11.09	The parking lot landscaping requirements are similar to existing standards in effect since 1999, see TMC 18.52.030. The existing standards were applied to the newly created parking lot where the prior Bank of America drive through lanes were along Tukwila Parkway.
	3. Parking Lots—Setbacks & Landscaping 18.28.093.2.a.ix: Rooftop landscape requirements will eliminate the economic ability to provide rooftop parking	Ex. 16 B/ B.Carson&S.Ha milton/6.11.09	We would like to see the reasoning behind this comment. In the current draft we have provided multiple options for landscaping.
	vi. For surface parking lots located in the TUC Regional Hub: (1) A minimum of 15 square feet of interior parking lot landscaping is required for each parking stall. (2) Landscape islands shall be placed at the ends of each row of parking to protect parked vehicles from turning movements of other vehicles. (3) To subdivide continuous rows of parking stalls, landscape islands shall be placed at a minimum spacing of one island every ten parking spaces or within 100 feet of each car. (4) Trees shall be planted in curbed landscaped islands or in flush tree wells with tree guards.		The requirement has been reduced from 25 square feet to 20, with 15 required in the Workplace district in the revised Plan. Same as the standard in the plan.
			The standard has been changed to every 10 spaces, 15 if screened by buildings. However, adding the "or within 100' of each car" does not achieve the intent of subdividing continuous rows of parking stalls.
			Same as the standard in the plan.
	vi) - viii) renumber vii) - ix) , respectively.		Renumbering will occur in the next draft SCP.
55	4. Move the following Requirements to the Guidelines Section: 2) Parking Lots a) Setbacks & Landscaping ix) Rooftop Parking Landscaping 2) Parking Lots b) Pedestrian Circulation i) through iii)	Ex. 16 B/ B.Carson&S.Ha milton/6.11.09	Improving pedestrian access in the SC area is a key part of the SCP, particularly in the northern portion where buildings are separated from streets by large parking lots. Moving pedestrian circulation standards to guidelines will not achieve this goal.
55 18.28.094 General Parking Guidelines	1. Parking Lots—Landscaping: add text (from page 54): Rooftop Parking Landscaping. For a parking area on the top level of a parking structure, one planter that is 30 inches deep and 5 feet square should be provided for every 8 parking stalls on the top level of the structure. Each planter should contain a small tree or large shrub suited to the size of the container and the specific site conditions, including dessicating winds. The planter should be clustered with other planters near driving ramps or stairways to maximize visual effect.	Ex. 16 B/ B.Carson&S.Ha milton/6.11.09	The rooftop landscaping section has been moved in the revised Plan per the comment and additional options such as green roofs and green walls allowed.
54	2. Parking Lots—Pedestrian Access: add text: ii) Parking Lots should provide clear pedestrian-only circulation routes between main building entrances and sidewalks. a. Front surface parking lots should provide such routes at a maximum spacing of every 300 feet. iii) Pedestrian circulation routes through surface parking lots should be a minimum of 6 feet in width and separated from vehicular areas by curbing and landscaping. High traffic walkways should be wider. iv) Decorative, contrasting paving, such as pavers, bricks, stamped asphalt, or scored concrete, may be used where pedestrian circulation routes cross driveways or other paved areas accessible to vehicles.	Ex. 16 B/ B.Carson&S.Ha milton/6.11.09	Added to revised Plan Added to revised Plan Added to revised Plan Added to revised Plan
	3. Sustainability 18.28.094.4.i: change text: 1) Parking lots should utilize permeable paving systems and bio-filtration swales should be utilized wherever possible feasible.	Ex. 16 B/ B.Carson&S.Ha milton/6.11.09	This guideline was removed from plan and will be addressed during the Comprehensive Plan update in a Sustainability chapter.
Architectural Design Regulations (these will be addressed in the Southcenter Design Manual)			
OTHER			
Sustainability			
	<i>Incorporate low impact development strategies into the plan where appropriate given site hydrology/geology.</i>	Ex. 11/ 6.3.09/Cascade Land Conservancy	There are draft guidelines that encourage low impact development (LID) strategies. Unfortunately, the water table is close to the surface in the area, making it difficult to infiltrate stormwater.
1	Does the plan offer incentives for solar power and exceptions for rooftop screening requirements for solar panels? See Portland's.	LPeterson/PC (comment submitted in email to staff).	See Roof standards & guidelines, in the Architectural Regulations. At this time the plan does not offer incentives or exceptions for this.

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2	Plan encourages the use of green roofs. Does encourage mean "allowing" or "supporting to the point we would incentivize them"? <u>May need to look at incentives such as crediting against stormwater fees, height bonus, reduced landscaping requirements, etc.</u>	LPeterson/PC (comment submitted in email to staff).	At this point, the provision re: green roofs is a guideline, and allows v. requires them. Ryan Larson in Public Works says: Tukwila has adopted the 2009 King County Surface Water Design Manual. Unsure if there are any incentives given for green roofs but if the roofs detain water and reduce down stream impacts then the requirements for detention will be less. So it will really come down to how they function in providing less runoff. If they do not reduce the amount of peak flows then no reduction in detention will be given. And if they do, we will allow for a reduction in the amount of detention they must provide. That would be handled by the engineer working with the developer. The runoff rate would be a function of the site and materials they used so it will need to be determined on a site by site basis.
Mall-specific issues			
	Not sure if proposed code "grandfathers" existing north side development.	Mall/3.26.09	The comment does not specifically identify which development being referred to, nor the regs that pose a problem so it is difficult to respond.
	When questioned about whether there are still "pre-approved pads" remaining that have not been built that would be affected, Mr. Lee was not sure. Are there still pre-approved pads remaining to be built?	3.26.09/Mall & GMalina/PC	The BAR approved a site plan for 3 new outlying building pads, additions to the mall, and 2 parking structures. All of this has been built. Design Review is still required for any future store as was the case for Fidelity and Cheesecake.
	Mr. Lee's feeling is that the proposed code would hamper future development.	Mall/3.26.09	Comment noted. Not enough specificity to be able to respond.
	Westfield development agreement is based on limited amount of square footage, most of which has been built. Agreement expires in 2 years. Old Bank of America site is not included in the agreement. Agreement does not cover future plans.	Brent Carson/5.28.09	The agreement expired in Dec 2011.
	Lifestyle developments are not happening. San Jose Business Journal says Santana Row developer will not build this project again. (Sept 17, 2004)	westfield/4.23.09 & B.Carson/5.28.09	Comment noted. Many articles on the subject disagree. See <u>Retail Traffic</u> article (Jan 2005) (http://retailtrafficmag.com/mag/retail_maxeduse/index.html) discussing how Santana Row developer wants to build more lifestyle centers because of its success.
	Supports "linking development" - growing from buildings outward. Retailers want to grow from the inside out (i.e., from the mall outwards).	westfield/4.23.09 & B.Carson/5.28.09	Draft plan regs support this form of expansion. Existing street grid in mall forms the basis for growing outwards.
	Incremental improvements would not be allowed.	Brent Carson/4.23.09	Comment noted. Not enough specificity to be able to respond.
	Let market run free, incentivize housing, and retailers will come to Mall and ask for the buildings to be built on the street edge.	Brent Carson/5.28.09	The revised draft of the plan allows for much greater flexibility and incorporates incentives. The two most recently built pad buildings on the Mall property have been located at corners with no parking between the buildings and the sidewalks.
	Doesn't mind if Plan makes mall businesses, e.g. Firestone, non-conforming.	5.14.09/CParish/PC	Comment noted. Comment is supportive of draft regs intending to remove auto-oriented uses in the northern portion of the UC that do not support pedestrian activity.
	Westfield says it can take generations to achieve vision, and that City needs to take an incremental approach towards change. Developer agreement vests Mall Ph.2 under current code - Plan will not affect Ph 2. <u>Does not agree with taking an incremental approach towards change - thresholds & triggers should be stringent.</u>	5.14.09/CParish/PC	The development agreement between Westfield and the City has expired so any future development would be subject to the codes in effect at the time a complete building permit application is submitted to the City.
Barnaby-specific Issues			
	<u>Remove the property containing the former "Barnaby's" restaurant and the property to the south (16401 & 16405 W.Valley Hwy) from the TUC Plan area.</u> Properties are too small in area to provide the types/intensity of redevelopment anticipated in the TOD districts. <u>Remove the Barnaby's property from TUC Plan because it causes the existing structure & intended use of building as a restaurant to become non-conforming.</u> Restaurants are only permitted if they are located in a "Neighborhood Center".	4.23.09/Michaelis	6.11.09 letter. changed their mind - want to stay inside TUC boundary.
	<u>Green River Riverwalk (public esplanade) requirement on east side should be applied north of Strander, with the route then crossing the river and continuing on west side;</u> otherwise, riverwalk would dead end on these properties.	4.23.09/Michaelis	The waterfront corridor types have been removed from the revised Plan due to the long term goal of laying back the levees.
	The L5 condition on pg. 19 requires buildings to be oriented towards the Green River. The other two roads bounding the property also require "building orientation". Any new structure on this property is required to have public entrances on all 3 sides. This will cause the use & structure to be non-conforming.	4.23.09/Michaelis	18.28.140 C Corner Parcels requires buildings on corridors where building orientation is required to have an entrance oriented towards at least one street to be determined by the developer. This requirement must be satisfied if thresholds for new development are exceeded.
Target-specific Issues			
	Potential short & long term plans that Target has for this store could trigger requirements that would effectively require a complete demolition & rebuilding of the existing store. In that case, Target would forego the investments needed to maintain this store. Plan on operating Target at current location into future. Target plans a \$4M remodel in 2011. \$\$ required for compliance are too great. Return on investment doesn't make sense. When asked if Target would ever do what the plan calls for, Target said potentially, if area became more urban.	4.23.09, 5.28.09 & Ex. 19/ 6.11.09/Brandon Lee/Kresovich/Target	The Plan has been revised to reduce the number of form standards and the threshold for conformance with most standards has been returned to the existing threshold at TMC 18.70.
	Will City force Target to leave or redevelop?	Target/3.26.09	No
	Target corporation does have certain flexibilities to design building to meet the site (when asked about 2 story development)	Target/4.23.09	Comment noted.
Macy's			
	Plan does not work well for Mall-type development scenario.	Macy's/4.23.09	Comment noted. Not enough specificity to be able to respond.
	Comments are specific to Regional center district, not addressing Pond district (Macy's warehouse location).	Macy's/4.23.09	Comment noted.
	Does the plan allow for expression of Macy's brand image? (Macy's has 8-10 other store designs).	Macy's/4.23.09	Does this comment refer to exterior character? signage? During design review Tukwila has been successful at getting stores to tweak their exterior design to comply City design goals, while still allowing retailers to express elements of character contributing to their "brand image".
Economic Issues			
	Could be unintended adverse impacts to city's revenue stream.	Sears/5.28.09	Staff responded to public comments and concerns regarding the economic feasibility of the vision and the draft development
	Economic studies may be out of date. Want them updated.	Sears/5.28.09	

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	plan must be implemented in a way that makes future development and redevelopment of properties commercially and economically viable. The SCP does not do so.	Ex. 15/ 6.11.09/C.Maduell/Residence Inn	regulations by contracting with ECONorthwest (ECO), the consultant that prepared economic and market analyses during the preparation of the draft plan. We held three focus groups with property owners, businesses and regional developers to evaluate the vision, approach and regulations in the draft plan. ECO's summary memo recommended the following revisions to the development standards and changes to the implementation strategies:
	Plan doesn't reflect market conditions. Market analyses are outdated.	westfield/4.23.09	General comments and recommended strategies: o Almost all stakeholders agreed the vision is the right long-term goal for development in TUC. o The vision is achievable in the mid to long term with significant, targeted public investment to catalyze and support types of development the City would like to see. o Code appears to be more complex than it actually is: it is designed to provide certainty while minimizing discretionary & interpretive decisions.
	To build mixed use residential development, need \$2.50 rental rates; currently have \$1.00. Need someone to fund a public parking garage.	westfield/4.23.09	
	Plan needs to be built on sound economic analysis. Good vision, but economic driver needs to be in place. Need time to get rents where they need to be and to convert current buildings/uses.	Mail/5.28.09	
	Economics. Requiring office & residential uses with structured parking is not economically feasible. Retail uses are strong, there is a glut of office supply regionally, structured parking for housing is a problem.	Brent Carson/5.28.09	
	Private development is not likely to build without public assistance. Renton Landing & Kent Station were publicly subsidized. In Kent Station, residential uses have not taken hold. Bellevue is different because of demographics - has Medina - Tukwila does not. Shouldn't use Bellevue as an example of what should/could be done in Tukwila.	Brent Carson/5.28.09	Specific recommendations & comments: o Revise high-rise ordinance to allow mid-rise construction - will make the Plan more economically viable and allow Tukwila to be more competitive with other cities. (Note: this has already been accomplished) o Achieving multiple storied development is limited due to difficulty in meeting parking requirements o When reducing parking requirements, need to provide other options to avoid negative consequences o Open space requirements are consistent with other jurisdictions.
	Recommend the city conduct a new economic study to get a clear picture of what is feasible in this economy.	Ex. 20/ 6.11.09/Badstuber/Regency	
	The city has no ability to guarantee that the changes in requirements will result in economically viable projects. Property owners must bear the risk.	Ex. 21/ 6.11.09/Hancock/Segale	
	Plan should be tested by meeting with actual retailers & developers. Focused economic studies including a study of impacts on the City's sales tax income of the changes from big-box anchors to small retail shops should be done.	Ex. 21/ 6.11.09/Hancock/Segale	
	Economic studies are outdated and don't support the plan regulations. Need an updated economic analysis.	5.14.09/BArthur/PC 5.28.09/GMalina/PC	
	Want any updated market study to weave in regional requirements for jobs/ housing	5.14.09/CParish/PC	
	Plan needs incentives to bring in housing. Look at what Bellevue did in the past.	5.14.09/BArthur/PC	
Fire Department Issues			
	Access to mid-rise buildings fronting the river may be difficult. Riverfront esplanade can be designed for fire apparatus use. Architects will need to take into account the building height during design.	Ex. 6/ 5.28.09/ D.Tomaso	Comment noted. Given the changes to the Shoreline regulations and the long term plan to lay back the levees the Riverfront esplanade has been removed from the Plan.
	TOD Station neighborhood. High voltage lines will impede aerial access to buildings. Designers will need to account for safe distances from the power lines for aerial apparatus.	Ex. 6/ 5.28.09/ D.Tomaso	The Tukwila Townhomes project was designed with these constraints in mind and the City & developer were able to reach an acceptable solution. It is reasonable to think that the same process would work with future developments.
	TOD Station neighborhood. Close proximity of residential units to rail lines will expose residents to increased exposure to rail-related emergencies.	Ex. 6/ 5.28.09/ D.Tomaso	Comment noted. There are many places outside of the Southcenter area where similar uses are along the RR and experience similar risks.
	TOD Station neighborhood. The concern is the proposed increase in building heights. The Tukwila Town Homes project will be less than 50' in height.	Ex. 6/ 5.28.09/ D.Tomaso	Current code allows 115' height throughout the TUC zone. Draft plan's proposed maximum height is 45' before incentives in this area. The maximum height of the proposed Tukwila Townhomes building approved by BAR after routing to the Fire Department was approximately 75 feet.
	Workplace District. Street widths should be a minimum 26' curb face to curb face, not to include street parking. Streets of this design typically become impassable from commercial vehicles illegally parked. This design will increase the need for police traffic enforcement and increase emergency response times within these areas.	Ex. 6/ 5.28.09/ D.Tomaso	All existing streets in the TUC meet this standard and currently, these types of problems are not experienced on Minkler Blvd. Any new streets in the Workplace District would meet the workplace corridor cross section that was developed in a series of 4 meetings with PW and Fire. Narrower street design is for new streets only. Existing streets have 60' ROWs.
	TUC Blvd. Wider sidewalks & street trees reduce aerial access vertically. TMC 16.16.010 & 2006 Int'l Fire code appendices D require 2 access pts for buildings greater than 30' in height. The proposed 20' alleyways will not provide sufficient access; also, if project was designed for mid-blk, they would be unable to meet this requirement.	Ex. 6/ 5.28.09/ D.Tomaso	The current TUC zoning requires 15' of landscaping including street trees in addition to the sidewalks and Fire has never raised this as a concern. Alley standards have been removed from the Plan and therefore default to the existing PW Infrastructure Design and Construction Standards. The access situation would be similar or improve under the proposed regulations.
	Transit systems. People movers: will they have traffic control system access for signal control? Fire shall have preemption capabilities over any transit or people mover system.	Ex. 6/ 5.28.09/ D.Tomaso	This type of detail will be developed at such time as the system is funded and designed.
	Fire stations. Should be permitted v. conditional. Conditional use permit process will increase cost to city for future stations.	Ex. 6/ 5.28.09/ D.Tomaso	Fire stations have significant noise and traffic impacts that may be incompatible with pedestrian oriented and residential development. Generally CUPs are combined with design review so that there is no additional time or process required. DCD policy is to only require payment of land use application fees by another City department when the project is grant funded, not when it would come from the general fund.
	Pg.22, Fig 18.28.013.2. Streetscape design will impede aerial access to buildings. Streets should be a minimum of 26', not to include parking. Proximity to buildings must be within 15' for at least one aerial access route. Existing street design is non-compliant. If design is adopted, we will knowingly encourage code non-compliance. Rear access would utilize 20' alley design, mid-blk development would not be possible without dedicating aerial access fire lanes.	Ex. 6/ 5.28.09/ D.Tomaso	DCD coordinated four meetings with the PW and Fire Departments in 2010 to develop street cross sections acceptable to all. These revised cross sections for new streets are included in the current draft. The TUC Zone currently requires sidewalks and a 15' landscape setback containing street trees for a total distance from the curb of +-20'. The proposed public frontage requirements require 15' of combined sidewalk and planting area so while the configuration is differentiated between the districts the total width required is similar to the existing condition. Alley standards have been removed from the Plan and therefore default to the existing PW Infrastructure Design and Construction Standards
	pg. 26, Fig 18.28.032 special height limits impact aerial access concerns. See above comment.	Ex. 6/ 5.28.09/ D.Tomaso	See above response. Fire needs to provide language including a code reference for this concern.
	Pg. 27, Fig. 18.28.033 max tower bulk, aerial access concerns. See above comment.	Ex. 6/ 5.28.09/ D.Tomaso	This requirement has been removed from the revised Plan.
	Pg. 28, figure 18.28.042. Public frontage, aerial access concerns	Ex. 6/ 5.28.09/ D.Tomaso	See above response

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	Pg. 39, figure 18.28.050, Street regulations: 11-foot travel lanes prohibit setting up aerial apparatus. Alleys minimum width should be 26 feet. TMC 16.48 outlines high-rise requirements and TMC 16.16.010 & 2006 International Fire Code Appendices D address required aerial access requirements.	Ex. 6/ 5.28.09/ D.Tomaso	DCD coordinated four meetings with the PW and Fire Departments in 2010 to develop street cross sections acceptable to all. These revised cross sections for new streets are included in the current draft. The Neighborhood Corridor cross section with 7.5' on street parking, 6' bike lanes and two 11' lanes is only applied to new streets. Providing access from the street frontage is only one option. Otherwise projects could be designed to provide a side or rear access that meets this standard.
	Pg. 36, figure 18.28.044, Setbacks, fire-rated construction to reduce fire spread possibilities, ground and aerial ladder access concerns. <u>Reduced set backs will conflict with building and fire code required separation requirements.</u> See International Building Code Chapter's 5, 6 and 7 and International Fire Code Chapter 7, Section 701.1.	Ex. 6/ 5.28.09/ D.Tomaso	Zoning code setbacks do not supercede IBC or IFC requirements. It is unclear what changes are requested.
	page 3 of book 1, the reference to the Mall's inward development that will be reversed - this will be in direct conflict with the 60-foot yard requirements of the Building Code.	Ex. 6/ 5.28.09/ D.Tomaso	The southern expansion of the Mall is an example of the external orientation that we are seeking in the plan.
	Pg. 63, Cornices, Canopies, Facades and offsets should be integral to building construction (not fastened to the building). Fire is working with the Building Official to modify or have an official code interpretation for clear enforcement.	Ex. 6/ 5.28.09/ D.Tomaso	This seems like a Citywide code issue and a possible Building Code conflict. However DCD will coordinate adding specific language and code citations in the text if Fire provides them.
	Pg. 68 (f) (hii), Canopies will impede ground ladder access. Fire is working with the Building Official to modify or have an official code interpretation for clear enforcement.	Ex. 6/ 5.28.09/ D.Tomaso	Canopies seem like a Citywide issue and providing continuous overhead weather protection is a vital part of creating a quality pedestrian environment. We need more detail about what would meet Fire's needs, for example would a 5' break in the canopy every 200 be sufficient? DCD will coordinate adding specific language and code citations in the text if Fire provides them.
	In various sections of this plan it regulates authority to the "Director", but no definition is provided as to who the "Director" is: DCD, PW, Finance. The TMC is very clear on who the Code Official is for both the building and fire codes; fire will always retain authority over all fire code regulated issues.	Ex. 6/ 5.28.09/ D.Tomaso	See TMC 18.06.225 where Director is defined as the DCD Director for the Zoning Code.
	Book II, Page 14, (4), in reviewing the ICC valuation table on-line, is DCD planning on doing any regional adjustments? The ICC table is based on national averages for construction costs.	Ex. 6/ 5.28.09/ D.Tomaso	The Building Official currently makes regional adjustments to the ICC valuation table as part of his calculations.
	Book II, Page 15, Fig. 18.28.03, Conformance with Development Code. The percentage thresholds for compliance appear to be extremely low. The difference between assessed value and market value on some structures are vast. Fire would like to see language that exempts work for upgrading for Life Safety, Public Health or ADA upgrades.	Ex. 6/ 5.28.09/ D.Tomaso	The thresholds for conformance section of the Plan has been largely replaced with the existing standards at TMC 18.70.
	Book II, Page 26, Building Height. 2) Regulation. This section references "floors"; neither the adopted Fire nor Building Codes provide a definition for "floors". However, if it is changed to the State adopted "stories" definition, it will provide continuity among the adopted codes.	Ex. 6/ 5.28.09/ D.Tomaso	Building height limits are expressed in feet rather than floors in the revised Plan.
	Book II, Page 26, (3) General Requirements. (iv) This provision to allow up to 20-foot features to screen roof top equipment will require additional design to allow roof top access by firefighters. In previous projects designers have struggled with providing solutions to this problem.	Ex. 6/ 5.28.09/ D.Tomaso	This is currently permitted under the existing provisions of TMC 18.50.080, Exemption of rooftop appurtenances.
	In attempting to provide language that would stay timeless and not become obsolete with code cycle changes, Fire suggests the following: "Developers shall contact the Building and Fire Departments to obtain the most current City requirements prior to developing drawings or renditions for their development." This would be short and simple and put the burden on the developer to contact the City.	Ex. 6/ 5.28.09/ D.Tomaso	It would be more helpful to applicants to provide a specific code citation. Developers generally know that they have to comply with building and fire codes but the concern is that they may be unfamiliar with unique provisions of Tukwila's codes. A reference to Tukwila's local amendments to Building and Fire codes is given at Applicability 18.28.030 A6.
	One item that appears to have been omitted in the development of this plan is the changes that have occurred during the change from the Uniform to International Code Series. One of the more significant changes in the fire code is fire department access. Chapter 5, Section 503, Appendix D further defines fire department access requirements, in addition to TMC 16.16.070. Having the alley and street design 26' in width may be one solution for ensuring fire access	Ex. 6/ 5.28.09/ D.Tomaso	DCD coordinated four meetings with the PW and Fire Departments in 2010 to develop street cross sections acceptable to all. These revised cross sections for new streets are included in the current draft. Providing access from the street frontage is only one option. Projects could be designed to provide a side or rear access that meets this standard. However all existing streets meet the 26' width standard. Alley standards have been removed from the Plan and therefore default to the existing PW Infrastructure Design and Construction Standards.
	The fire code section that impacts access requirements is Appendix D, Section D105, Aerial Fire Apparatus Access Roads:	Ex. 6/ 5.28.09/ D.Tomaso	These are citywide requirements which have been factored in to the cross sections for new streets.
	D105.1 Where required. Buildings or portions of buildings or facilities exceeding 30 feet (9144mm) in height above the lowest level of fire department vehicle access shall be provided with approved fire apparatus access roads capable of accommodating fire department aerial apparatus. Overhead utility and power lines shall not be located within the aerial fire apparatus access roadway.	Ex. 6/ 5.28.09/ D.Tomaso	
	D105.2 Width. Fire apparatus access roads shall have a minimum unobstructed width of 26 feet (4572mm) in the immediate vicinity of any building or portion of building more than 30 feet (9144mm) in height.	Ex. 6/ 5.28.09/ D.Tomaso	
	D105.3 Proximity to building. <u>At least one of the required access routes meeting this condition shall be located within a minimum of 15 feet (4572 mm) and a maximum of 30 feet (9144 mm) from the building and shall be positioned parallel to one entire side of the building.</u>	Ex. 6/ 5.28.09/ D.Tomaso	
	Travel lanes are too narrow. 2 lanes do not provide sufficient space. Makes for longer response times.	Fire/3.26.09	DCD coordinated four meetings with the PW and Fire Departments in 2010 to develop street cross sections acceptable to all. These revised cross sections for new streets are included in the revised draft.
Incentives & TDR			

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	PC could consider: 1. use development bonuses as incentives for desired amenities such as ped amenities, community spaces - transfer of development rights (TDR), higher densities, incorporating low impact development. 2. preserving low & moderately priced housing as redevelopment occurs. Identify mechanisms (in addition to the decreased parking requirements) to encourage preservation or creation of moderately priced housing for families and seniors 3. Conserve nearby open space and watershed areas by accommodating transferred development rights in the SC area. TDRs could be specified to allow transfers from local areas, or within Tukwila's watersheds.	Cascade Land Conservancy/4.23.09 & Ex. 11/6.3.09 & 4.23.09/westfield & Ex. 21/6.11.09 Hancock/Segale	Development incentives for new streets, frontal improvements and housing have been included in the revised Plan. Preserving housing in the UC is not an issue at this time, since no housing currently exists. The 2008 Market Analysis for Regional Transfer of Development Rights in Central Puget Sound commissioned by CTED concluded that there was a limited market for sale of TDR rights in Tukwila.
"Opinions Expressed"			
	Concerned about city's commitment to Tukwila's retailers & benefits they provide, given that the City worked with mall during most recent expansion.	Ex. 7/ Sears/5.28.09	The City is committed to supporting existing and future retailers in the urban center and elsewhere within the City.
	Retail is fragile & more competitive than ever. Its important that retailers, property owners and cities work collaboratively to assure their mutual success.	Ex. 7/ Sears/5.28.09	We agree.
	wants to be part of a stakeholders group to address the following issues: updated econ. analysis, non-conforming use/space impacts on retailers, impacts from new parking constraints, impacts from new traffic circulation patterns & likely congestion, impacts from constraints on potential store expansions, impacts from constraints on exterior & interior alterations, grandfathering of existing conditions, compliance with legal process (GMA, SEPA, public participation), opportunities to adopt a more market-sensitive transition strategy.	Ex. 14/ 6.11.09/J.Gibron	Comment noted. Not enough information regarding the specific issues to be able to respond. Sears representative Randy Bannecker attended one of the ECO NW focus groups. Sears has been invited to comment on the draft revisions.
Process/Legal issues?			
	SEPA concerns - SEPA requires environmental analysis during the process of creating alternatives. City is choosing to wait until <u>after</u> the PC draft is recommended. PC should reconsider.	Ex. 7/ Sears/5.28.09	The choice to designate the Southcenter area as an urban center according to the PSRC guidelines for size and density was analyzed in the 1995 Comprehensive Plan EIS. We are now developing regulations to implement this earlier policy choice rather than considering new alternatives.
	Concerned that draft plan may result in many other potential legal shortcomings, including inconsistencies with comprehensive plan, and unintended constitutional issues to private property interests.	Ex. 7/ Sears/5.28.09	Comprehensive Plan amendments are being considered in concert with the revised draft. The City Attorney has reviewed the plan and does not have any legal concerns.
	Procedural concerns - many people have testified that they were not adequately notified. GMA requires public participation. Want City to create a stakeholder's group. When asked how the City should have provided notification to Sears, response was to give specific store mgr notice.	Ex. 7/ Sears/5.28.09	Notice for all public workshops & meetings was sent to Sears Manager @ 301 Southcenter Mall, Sears Portrait, Sears Optical, and Sears Watch & Jewelry. Also sent notice to Sears Holding Co. in Spokane, WA. The City Council decided not to pursue a stakeholder committee process at their 3/14/11 meeting.
	City risks challenges to the plan - open space requirements in King Co. have been called "illegal tax"	Brent Carson/4.23.09	The City Attorney has reviewed the plan and does not have any legal concerns.
Historic Homes			
	1 How will historic homes be treated in Plan? Will Helen Nelson home be moved or preserved as is? Does it need City regulations providing preservation? Do we need to limit height, bulk, or architectural design on surrounding development? Can staff contact Nelson representative to discuss their plans/desires? is there an economic development perspective to preserving them? Let Pat Brodin & Joan Hernandez know when this issue comes up on PC agenda.	LPeterson/PC (comment submitted in email to staff).	There are state & fed regs protecting historic homes. This issue could be addressed during design review but is so limited that it doesn't seem necessary to include specific regulations in the plan.
Commuter Rail Station			
	1 Access. Should we expect that the east side of the station in Renton will develop as a TOD? <u>Should pedestrian access beneath the RR be located now, so it can be integrated into station planning efforts?</u>	LPeterson/PC (comment submitted in email to staff).	Ped access to the Renton side of the station is an important feature that Tukwila has advocated in the design of the permanent station.
	2 Are there security risks associated with pedestrian underpasses - e.g., bomb threats?	LPeterson/PC (comment submitted in email to staff).	We will forward this concern to Sound Transit for consideration during the design of the permanent station.
Transportation/Circulation (including bike/ped)			
	1 If trying to make TOD area more ped friendly and CC area more auto friendly, what is being done to route traffic away from former to latter?	LPeterson/PC (comment submitted in email to staff).	We are approaching this from a different direction of enhancing the quality of the pedestrian environment and encouraging the construction of new streets to break up the superblocks.
	2 Can the TMC be rewritten in a non-auto centric way? Staff believes the comment relates to wanting proposed development to evaluate alternative ways to SOV for people to access site.	LPeterson/PC (comment submitted in email to staff).	Need further discussion to understand comment.
	3 Is the Plan consistent with the Walk & Roll Plan? Why are trails, etc not in this Plan?	LPeterson/PC (comment submitted in email to staff).	The Walk & Roll Plan has been taken into consideration in the design of the new cross sections but existing streets are not regulated in the revised SCP. The planned trails in the SC area are the ped bridge & trail connecting Baker Blvd to Sounder Station and the conversion of RR spurs. SCP does not reference the conversion of RR spurs.
	4 Does the plan address pedestrian bridges over streets? What is staff's position on these?	LPeterson/PC (comment submitted in email to staff).	It is difficult to get people to use these, they are visually prominent, and we would rather prioritize the pedestrian at ground level.
	5 Will the plan identify preferred mass transit types, routes & stops? Does it include future light rail route thru TUC? Significant investment in infrastructure/buildings planned, should regs accommodate future LRT route? If only plan streets, result will be more cars.	LPeterson/PC (comment submitted in email to staff).	No, except for major transit facilities such as commuter rail station & transit center. CP policies call for future LRT routes to come through Southcenter.
	6 Can the Plan include the I-5 & I-405 ramps into the planning area? Develop "gateways" at these points, including art, signage, landscaping.	LPeterson/PC (comment submitted in email to staff).	Tukwila has improved the I-5 connection at Klickitat. WSDOT has long term plans to move the current eastbound 405 entrance further east. More discussion with PW is needed on this issue.
	1 Likes colored/patterned concrete sidewalks & crosswalks, but concerned about cost, maintenance, & fading. Wants pros/cons & lifecycle cost. Discuss whether money should be allocated instead to public art, street furniture, enhancement of parks.	LPeterson/PC (comment submitted in email to staff).	Best uses for patterned concrete pavement are in urban and suburban areas at high visibility locations including road edges, median strips and slope paving. Concrete is a good choice when longevity, visual quality and context adaptability outweigh initial cost considerations. On-site crosswalks & ped paths will most likely be developer funded as projects occur. Public art, street furniture and enhancement of parks are funded from a different "pot" of money.

Page # in Plan	Comment (suggested language changes in bold strikout/underline)	Exhibit #/ Date/Source	Staff comment/analysis/options
	No clear bicycle & pedestrian connection between the Pond and the Green River trail, particularly bicycle.	5.21.09/BArthur/PC	The Walk & Roll Plan identifies a 'bicycle friendly route' from the Pond to the River via the future S.168th Street (runs along S.edge of Tukwila Pond Park). Until that is built, bicyclers will need to use existing streets. There is not a separate pedestrian trail anticipated. Peds are expected to use the existing & future street/sidewalk system.
	Can railroad spurs be used for bicycle/ped trails?	5.21.09/LPeterson/PC	Rails to trail conversion in the urban center is anticipated to be a very long term project. The Walk & Roll Plan states that "the potential abandonment of railroad spurs of routes that are no longer viable represents an opportunity to preserve railroad right-of-way for use as multiuse trails." While it is generally known that some of these spurs have been abandoned, further research is needed to find out the ownership and disposition status of each specific spur. Relationships among the City of Tukwila, interest groups, and railroad companies need to be developed, and notice of interest in preserving these corridors as trails needs to be provided to the Union Pacific Railroad (who operates in the urban center).
Other			
1	Reduce visual clutter. What can be done to reduce this, e.g. the signal control boxes at intersections, protective yellow bollards, cameras & brackets/cables attached to traffic signal poles, cellphone towers, etc. These will become more visible as area intensifies.	LPeterson/PC (comment submitted in email to staff).	Per Cyndy Knighton (PW): Signal control boxes must be placed in a location where signal techs can see the signals while working on them. They cannot be placed underground or screened overly much because of the need to see the signal while performing work and/or maintenance. PW tries to minimize the size of the box as they are expensive but the equipment inside has space demands. A battery back up takes up space as well. We could return to no battery back up in case of power failure but the safety aspects of doing so outweigh the desire for reducing visual clutter. Cameras & brackets/cables attached to the signal poles are integral parts of a signal operation. Cameras are often used as vehicle detection and are also part of the city's ITS system in the urban center to maximize signal operations efficiency. In the urban center, the city recently expended more than 2 million dollars to construct a full signal interconnect of which the cameras are part of. In other cases, what may look like a camera is actually the Opticom sensor which is what EMS uses to change the signal to allow emergency vehicles to quickly pass through by overriding normal signal operations. The yellow bollards, while visually obtrusive, are there for a safety reason and must remain easily seen. We certainly try to design public streets to not have needs of these and other visually unattractive protective barriers but we can't always do so. One alternative is the monument sign which was recently installed at the corner of Southcenter Parkway and Minkler screening the signal boxes.
2	ped bridge. Design needs to be inspiring.	LPeterson/PC (comment submitted in email to staff).	A type, size & location study was completed for the bridge. Next steps include furthering the design & engineering and finding funding to do so. A schematic design for the bridge was recently selected through a public process.
3	Can we require retail shops that have shopping carts to use ones that apply brakes to wheel when patrons try to take them off the property (http://www.therawfeed.com/2006/01/wireless-brakes-stop-shopping-cart.html)?	LPeterson/PC (comment submitted in email to staff).	Probably, but not as part of the SCP. Most likely a separate ordinance would be required.
4	Are we running afoul of invalid "spot zoning" on these few lots/corners?	LPeterson/PC (comment submitted in email to staff).	The use districts are large enough not to be considered spot zoning. The special corner location requirements address building form only.
5	Besides my perception that homelessness is tied to urban density, it is also my assumption that drug dealing, gangs, and prostitution are associated with density. Is this true? If so, is there anything besides night time lighting levels, use of street cameras, and increased police patrols to battle these social ills that could be added to the TUC Plan? Possibly activity centers to keep kids away from drugs and gangs. How about transitioning police officers out of cars and onto walking beats or using bicycles or even segway scooters (http://www.segway.com/police-government/products-solutions/i2-police.php)?	3.11.09/LPeterson/PC	The more direct correlations might be to concentrations of unemployment, availability of services (homeless shelters, food banks) and a market for illegal activities. Tukwila has increased its bicycle patrols.
	Will the Tukwila Valley South development draw housing away from Southcenter area?	5.21.09/AEKberg/PC	Potentially. TVS is basically a greenfield development, so there will not be the added costs to redevelop a site. However, if the amenities and design called for in the SCP are implemented, the northern part of the UC should create the type of high quality urban environment that would be a strong draw for housing, as well as the fact that it would be better served with transit than the TVS site.
	Has the City thought about accommodating higher density housing elsewhere in the city? Are there alternatives to having to accommodate more residential development in the City (in response to housing targets).	5.21.09/AEKberg/PC	There is little capacity for additional housing in the other parts of Tukwila without rezoning, though the City has allowed additional density in the Urban Renewal Area on TIB. Most single and multi-family zoned land is developed near its zoned capacity. Southcenter has more redevelopment potential, and is better served with transit. As a regionally designated urban center, we are expected to accommodate a significant amount of future growth (housing & employment targets). It is up to the City to determine the form that growth takes. If the city decides <u>not</u> to accept the growth, it may lose future regional and/or federal sources of funding for infrastructure such as roads, transit, etc.
	Public Outreach. How can the City improve outreach to business community? Personal phone calls, certified mail, ask mgrs for contacts at corporate HQ? Need to do something different that works better.	5.21.09/all PC	We have sent notices to all property owners on the assessment records, and to all the local addresses within the UC. This totals about 1,500 mailings. When we get a specific contact for a business we add that to our database. Derek Speck has also provided us with a list of his contacts within the UC.