

CITY OF SHORELINE

SHORELINE PLANNING COMMISSION MINUTES OF REGULAR MEETING

October 2, 2014
7:00 P.M.

Shoreline City Hall
Council Chamber

Commissioners Present

Chair Scully
Vice Chair Craft (arrived at 7:02)
Commissioner Malek
Commissioner Maul
Commissioner Montero
Commissioner Mork
Commissioner Moss

Staff Present

Rachael Markle, Director, Planning and Community Development
Steve Szafran, Senior Planner, Planning and Community Development
Paul Cohen, Senior Planner, Planning and Community Development
Miranda Redinger, Planner, Planning and Community Development
Dan Eernisse, Economic Development Director
Lisa Basher, Planning Commission Clerk

CALL TO ORDER

Planning Commission Chair, Keith Scully, called the regular meeting of the Shoreline Planning Commission to order at 7:00 p.m.

ROLL CALL

Upon roll call by the Commission Clerk the following Commissioners were present: Chair Scully and Commissioners Malek, Maul, Montero, Mork and Moss. Vice Chair Craft arrived at 7:02 p.m.

APPROVAL OF AGENDA

The agenda was accepted as presented.

APPROVAL OF MINUTES

The minutes of September 18, 2014 were adopted as submitted.

GENERAL PUBLIC COMMENT

Marissa Reed, Shoreline, said she was unable to stay for the Commission's study session, but she wanted to make a comment related to zoning in the 185th Street Station Subarea Plan. In particular, she said she and her neighbors would prefer that micro housing, which tends to be more of a boarding house use, not be allowed in the subarea.

STUDY ITEM: DEVELOPMENT REGULATIONS FOR 185TH STREET LIGHT RAIL STATION SUBAREA PLAN

Chair Scully recommended that the public be invited to comment after the staff presentation and Commission discussion for each topic. The Commission agreed that would be appropriate.

Phased Zoning and Phase II Thresholds

Mr. Cohen recalled that the City Council and Commission discussed the concept of phased zoning at a dinner meeting on September 29th. He referred to Land Use Policy LU-31, which calls for creating a strategy in partnership with the adjoining neighborhoods for phasing redevelopment of current land uses to those suited for transit-oriented communities, taking into account when the City's development needs and market demands are ready for change. He reviewed that, as currently proposed, the phasing concept would:

- Adopt the entire Comprehensive Plan Designation Map.
- Adopt consistent Phase I zoning.
- Adopt threshold policy and code for subsequent phases.
- Adopt Phase II zoning (automatic rezoning consistent with the land use map).
- Allow private rezones

Mr. Cohen reviewed that, in the Commission's discussion with the City Council, there were comments about consolidating Phase I toward the station, and they agreed that individual rezones would be allowed. There was also some discussion about whether phasing would help or hinder reinvestment in existing single-family properties. A Council Member suggested that Shoreline Park and the properties in the northeast corner of the subarea be added to Phase I. The City Council directed the Planning Commission to discuss the pros and cons of phased zoning, as well as potential thresholds and boundaries, and make a recommendation.

Mr. Cohen explained that a non-phased rezone approach would be less complex and provide longer-term predictability of zoning and development potential. It would also increase the development choices and offer more opportunities for housing that is affordable. In addition, it would not require reopening the public process and its associated community stress. He pointed out that more incentives (i.e. capital improvement projects, property tax exemptions, etc.) could be used to focus on the core areas of the subarea. Lastly, a non-phased approach could save individual property owners the cost of having to rezone their properties.

Next, Mr. Cohen explained that a phased rezone approach would provide more predictability for citizens, and it could be tailored to the current development market. It would emphasize growth near the station and along 185th Street, which would create cohesiveness and a sense of place. A phased approach would reduce interim disinvestment outside of Phase I, and allow the City to shape Phase II to accommodate changes in the development market. It is anticipated that a phased approach would improve property values and encourage reinvestment, as well as reduce property overvalue in Phase II. As analyzed in the Environmental Impact Statement (EIS), Phase I would implement 30 to 50 years of

growth; however, the code could always be amended as circumstances change and individual rezones could be proposed.

Mr. Cohen provided a map of the proposed Phase 1 boundaries and invited the Commissioners to comment on whether or not the map should be adjusted. He also reviewed potential Phase II threshold options, which include: a date certain; when the station opens; when a percentage of land area is developed in Phase I; when a certain number of units have been developed in Phase I; after catalyst projects, such as the Shoreline Center site or 185th Street improvements, have been completed; and as the Council amends policy and code. He specifically invited the Commissioners to provide feedback on the following questions:

- Do they want to recommend phased zoning as a station subarea tool?
- Should the Phase I boundary be adjusted?
- What threshold should be used to implement subsequent phased zoning?

Dan Dale, Shoreline, voiced support for a phased approach. From an economic standpoint, corridor connections between the North City Business District, Aurora Avenue and the 185th Street station are important. Using a phased approach will allow for initial success immediately surrounding the station, creating a domino effect for good, quality building and design within the core and along the corridor. He noted that the market analysis that was done for the 145th Street Station Subarea was very revealing, and some of it can be applied to the 185th Street Station Subarea, as well. It talks about how early success right at the station can breed successful future redevelopment in the areas extending out from the station.

Stacey Clarson, Shoreline, questioned why the City is proposing such a large area for zoning. If they move forward with a phased approach, she requested that the Phase I area be reduced in size. This would allow the City to concentrate on the station area and see how the zoning actually works before the surrounding neighborhoods are disrupted.

Commissioner Moss requested clarification of staff's earlier comment that a non-phased approach would offer more affordable options for housing, as opposed to more affordable housing. Mr. Cohen explained that a non-phased approach would allow the entire area to be rezoned, providing more opportunities for residential development. The thought is that the more housing that is built, the more affordable it will be. Commissioner Moss asked if there is empirical evidence to support this idea. Mr. Cohen said no, it was a comment offered by a City Council Member.

Commissioner Mork referred to staff's earlier comment that a non-phased approach would eliminate the need to reopen the public process. She asked how long it would take to reopen the public process if the City chooses a phased approach. Mr. Cohen said the idea is that the Council would initiate Phase II through a Comprehensive Plan amendment and zoning change, which would require a standard public process. Director Markle added that Phase II could be approached in a number of different ways, and the process could take anywhere from a small amount of time to a lengthy process similar to the current process, which has been moving forward for more than two years. The original concept was that Phase II would be an automatic rezone that would not require further process. For example, it could be determined that the balance of the zoning would become effective on a particular date.

Commissioner Moss suggested the Commission consider a phased approach. She said she lived in a transit-oriented community in Washington D.C. where a few very large parcels near the station did not redevelop until 33 years after the station opened. These large developments created significant disruption in the central area, which upset the balance for a while. Had the zoning been more phased and the properties near the station encouraged to redevelop earlier, there would have been a more orderly progression. In addition, the buildings further out from the station became somewhat obsolete because they did not match the rest of the intensity. The goal should be to provide some predictability for residents and developers and to avoid scattered redevelopment throughout the entire subarea. She suggested that if the plan is done right, the City could avoid the need to open Phase II up to another long, public process.

Chair Scully said he generally supports the phased approach. Given the small size of the lots in the subarea, development will only happen where lots can be aggregated. Regardless of the incentives offered by the City, developers will be uninterested if they cannot put together enough land to build a decent project. He expressed concern that if a developer is able to aggregate property in the far corners of the MUR-85 zone before the City has an opportunity to complete the roadway improvements and before the station is developed, it will cause bitterness and create hardship on the residents. This will make it difficult for future development to move forward. However, he also supports Deputy Mayor Eggen's concern about creating an endless process, where owners have no incentive to maintain their existing properties because they will all eventually be redeveloped.

Commissioner Maul referred to Councilmember Hall's recommendation that anything within a ½ mile walk shed of the station should be up-zoned. He said he applied this concept by drawing a circle around the station and found that it included most properties within the subarea. He pointed out that the 185th Street Station Subarea is just a small pocket of the City, but the 185th Street Corridor provides a significant connection. He questioned what real benefit would result from a phased approach. The goal is to encourage growth at the station and along the 185th Street Corridor, and excluding the properties a few blocks north and south from Phase I would not have much effect on the final outcome. He also expressed concern that identifying thresholds would be complicated and further reduce predictability.

Vice Chair Craft commented that if the goal is to create a station area that acts as a hub, incentivizing development will be an important component of the plan. Phasing can be effective if it is implemented along with incentives. If the City adopts a phased plan, he asked what the process would be for a development located outside of the Phase I area to move forward. Mr. Cohen said an owner of one property or aggregated properties could initiate a rezone, even if it is outside of Phase I. A public process would be required and the rezone request would have to be consistent with the Comprehensive Plan and other criteria outlined in the Development Code.

Chair Scully asked Mr. Cohen to describe the thought process behind the boundaries currently proposed for Phase I. Mr. Cohen said the intent was to encourage growth along the 185th Street Corridor from Aurora Avenue, down 10th, and to North City include enough land area to encourage multi-family housing of different scales to reinforce the corridor and support the proposed land uses. The corridor extends through the MUR-85 zone, which centers around the light rail station, including the Shoreline Center. Ms. Redinger added that the boundaries somewhat resemble the Some Growth Map, which

analyzed the area and identified needed capital projects and potential mitigation to accommodate anticipated growth over the next 20 to 30 years.

Chair Scully cautioned against tying the threshold to when a percentage of land area is developed in Phase I. This type of threshold would be unpredictable and require that citizens keep up with the density in the neighborhood. He recommended that the threshold be as simple as a date certain or upon completion of the light rail station. If a future Council and Commission finds that the neighborhood looks dramatically different than what was anticipated, the plan could be altered via another public process. Vice Chair Craft agreed that the threshold should be a date certain. Any other criteria would be too subjective and cause a great deal of consternation amongst the neighbors. Again, he stressed the importance of incentives to encourage development in certain areas.

Commissioner Maul suggested the boundary from 1st to 10th should move one more block south, and the boundary on the north side should be moved north of Shoreline Park. Chair Scully pointed out that the property immediately south of North City Park is owned by the school district and is not likely a realistic development site.

Commissioner Moss recommended that the northern boundary for Phase I be moved to North 192nd Street (and around Shoreline Park) all the way to the freeway. This area includes a large parcel of land that is currently developed as a church, and there appears to be a distinct break in the character of the neighborhood beyond North 192nd Street. She also recommended that the southern boundary be moved to Northeast 180th Street to provide more continuity between Aurora Avenue and North City.

Commissioner Malek requested more information about the condition of the existing housing stock in the areas proposed for MUR-85 and MUR-45 zoning. Ms. Redinger answered that most of the housing stock is post World War II ramblers. However, the City has not completed a detailed analysis of their existing condition and/or house values versus lot values. Commissioner Malek commented that if these homes are exhausted, they would be at the low end of purchase. He suggested that Phase I could be concentrated on a smaller area, particularly focusing on the existing housing stock. Some of these properties could lend themselves to public projects of some kind that would benefit the community. Chair Scully noted that the condition of the existing homes is highly variable. Some properties are very well maintained and have a lot of life in them, while others are ready for redevelopment. There are few undeveloped parcels. Other than the existing park areas, he does not know of any opportunity sites for public projects. That means these opportunities will be limited to when property owners are ready and willing to sell, which is a point in favor of having a larger area to broaden the future potential.

Commissioner Montero expressed concern about traffic access to the proposed station from 5th and 10th Avenues Northeast. He noted that studies have identified a high traffic volume on these two streets. Not allowing development along these corridors could further irritate the residents. He agreed with Commissioner Maul that the northern boundary of Phase I should be extended, perhaps all the way to North 195th Street.

Mr. Cohen summarized that the Commission generally supports the phased approach, as long as the thresholds are tied to a date certain. However, they cautioned against creating a situation where another lengthy public process is necessary. While there was some discussion about condensing the boundary,

most Commissioners agreed that the north and south boundaries should be expanded. For study purposes, they agreed to extend the northern boundary to North 193rd Street and the southern boundary (between 1st and 9th Avenues Northeast) to Northeast 180th Street.

Again, Commissioner Maul said he does not think a phased approach, based on the boundaries being discussed, would make a significant difference, since most of the properties would be included in Phase I. He reminded the Commission that they worked hard to create the subarea map. He recognized that it is desirable to want development to start on Northeast 185th Street and close to the station and build naturally outward, but it cannot be forced. Having a phased approach might actually discourage growth if developers are unable to put together parcels because the market is too limited. Chair Scully agreed that there are a lot of counter considerations related to the phasing concept, and he is interested in hearing more from the public.

Transition Areas

Mr. Cohen reviewed that Land Use Policy LU29 talks about using methods and tools to address land use transitions in order to manage impacts on residents and businesses in a way that respects individual property rights. It also talks about developing a mechanism to provide timely information so residents can plan and respond to changes. He explained that, currently, transition area standards are mandatory when commercial development abuts or is directly across the street from parcels zoned R-4, R-6 and R-8. The Commission has the option of adopting the current transition area standards for development in the MUR-35, MUR-45 and MUR-85 zones, or they may choose not to recommend applying transition area standards for development in the MUR zones. Another option would be to include certain components of the existing transition area standards, but not others. The current draft code language proposes that transition standards apply in MUR-85 zones adjacent to R-6 zones, but not MUR-35 and MUR-45 zones. Questions for the Commission to consider include:

- Should there be transitions between Phase 1 and the remaining R-6 zoned properties within the subarea?
- Should there be transitions between MUR zones and current land uses?
- Should there be transitions between MUR-85 and MUR-45 zones and/or MUR-85 and MUR-35 zones?

For the benefit of the public, Mr. Cohen briefly reviewed the current transition area standards. Again, he reiterated that the standards only apply when commercial development abuts or is directly across the street from single-family residential zones. The standards require a greater setback (20 feet), and building height is limited to 35 feet with step backs.

Dan Dale, Shoreline, suggested that aggressive setbacks are needed on the west side of 10th Avenue Northeast where MUR-85 zoning would be located directly across the street from MUR-35 zoning. This is particularly true given the topography of the street. Regardless of whether or not a phasing approach is used, the Commission should pay careful attention to the location of the proposed zoning to ensure there are appropriate transitions.

Chair Scully cautioned against tinkering with the existing transition area standards for application in the subarea. He voiced concern about how staff's recommendations would be applied both long and short term. For instance, requiring a transition between a building and a remaining parcel within one zone would address impacts on existing single-family residents, but it may not be desirable from a long-term perspective.

Chair Scully referred to Mr. Dale's comment and agreed that it would be appropriate to consider transition requirements between MUR-35, MUR-45 and MUR-85 zoning. He emphasized that the City's current transition area standards would apply when MUR-85 abuts R-6 zoning.

Commissioner Maul said he would not support applying transition area standards between the various MUR zones in Phase I. However, the Commission worked hard on the transition area standards, and they are appropriate wherever a commercial zone abuts any single-family residential zone. Chair Scully concurred and noted that, in most cases, a street separates the different MUR zones so there would not be a significant impact and having some setback requirement would ease the transition.

Commissioner Moss questioned the need for transition area standards related to height between R-6 and MUR-35 zones, as long as there are adequate and consistent front setback requirements. She noted that both zones allow a height of 35 feet and both are intended for residential uses. Ms. Redinger clarified that predominant thinking thus far has been to do transition through zoning. She referred to the map, noting that there is only one parcel where MUR-85 zoning is across the street from an R-6 zone. There are no other places in the entire subarea where the transition standards would apply. She summarized that the City's current transition standards could apply between MUR-85 and single-family residential zones, but transition in the remainder of the subarea could be accomplished through zoning. Mr. Cohen added that the MUR-35 and MUR-45 zones are nothing like commercial zoning in terms of intensity and development but MUR-85 is much closer to commercial. The proposed zoning has tapered down the intensity of development so there are no extreme breaks.

Chair Scully said he is not ready to abandon transition area standards between R-6 zones and MUR-35 and MUR-45 zones. While he recognizes that the height limits are the same or slightly more, the MUR zones allow for zero lot line development, and the R-6 zone has a front setback requirement. Mr. Cohen pointed out that, as currently proposed, a greater setback would be required where MUR-35 and MUR-45 zoning is located adjacent to single-family residential zoning.

Detached Single-Family Residential in the MUR-45 and MUR-85 Zones

Ms. Redinger pointed out that, as currently proposed, the use tables for the MUR-45 and MUR-85 zones does not include single-family detached as a permitted use. However, it is important to emphasize that "nonconforming" does not mean "not allowed." The proposed zoning does not pose a threat to existing single-family development, which would be allowed to continue with a nonconforming status. She explained that the City's nonconforming laws are very liberal in terms of maintenance, expansion, and rebuilding.

Ms. Redinger reminded the Commission that the intent of rezoning areas near the station is to encourage development that supports the area as a transit-oriented community, and allowing new single-family

residential development in the MUR-45 and MUR-85 zones may delay denser housing from being developed in close proximity to the light rail stations. She requested feedback from the Commission about whether or not single-family detached houses should be allowed in these two zones.

David Higgins, Shoreline, said he owns a home located in a proposed MUR-45 zone. While he recognizes what the planners have said regarding nonconforming uses and the fact that he won't be kicked out of his home, he is concerned that having a "nonconforming" status will significantly limit his future options for the property. His home is a fixer upper valued at 25% below the median, but he is hesitant to invest money on significant improvements at this time. He contacted his bank and was informed that, if the property is designated as "nonconforming," future buyers must be developers rather than single-family homeowners. He explained that in order to sell his property, he needs to build equity. He understands that the City needs this land for development that is transit oriented, but he asked that the City hold off on establishing minimum densities for the MUR-45 zone, as well as the idea of designating existing single-family residential homes as nonconforming. He needs time to figure out what his best options are.

Dan Dale, Shoreline, said he has heard from a lot of people who are in a similar situation as Mr. Higgins, and it is good for the Commission to put a face and actual home to the process. They must provide better information to the citizens, particularly related to nonconformance. They must explain what it really means in terms of timeline and what they might do with their properties in the future.

Marya Goracke, Shoreline, said she lives just north of Northeast 185th Street, halfway between the station and Aurora Avenue North. Her beautiful, quiet, single-family residential neighborhood that was built in 1950 is now proposed to become zero-lot-line, multi-family townhomes. She said she moved to Shoreline because she could afford a large lot, a single-family residents, tree-lined streets, great schools, great open spaces, and parks. If the proposed change happens, she would no longer be able to afford to live in Shoreline unless she wants to live in one of the multi-family residential properties that are created. This grand vision for change is forcing the people who are in affordable housing now to leave the City. She noted that the Commission has discussed various incentives for developers, but she questioned what incentives the City would offer the current property owners. She noted that she has recently made significant improvements to her property. None of this will matter because the goal is for her house to be redeveloped to accommodate a different demographic of people. She questioned where she would find an affordable, single-family residence and maintain her children's' experience at school and in their community.

Stacey Clarson, Shoreline, echoed Ms. Goracke's comments. The draw of Shoreline is for families who want to live in single-family homes. They have a great school district, which could be impacted by large multi-family developments. They just moved into their home and spent \$15,000 making improvements last year alone. A lot more improvements are needed, but she questioned whether it would be wise to move forward. She and many of her neighbors purchased their homes from the original owners. These young families are revitalizing the area, and both existing and new construction sells quickly. She emphasized that Shoreline is for families, and the proposed plan is out of character. At this time, they do not know what the impact will be from all of the stations proposed throughout the region, and perhaps the City of Shoreline is getting a little ahead of itself by pushing families out of the area.

Yoshiko Saheki, Shoreline, said she lives in the Parkwood Neighborhood and was present because she feels that what the Commission discusses for the 185th Street Station Subarea will also apply to the 145th Street Station Subarea. She highly recommended keeping single-family, detached housing in the higher MUR zones. She commented that the word “nonconforming” has very negative undertones, and creates concern amongst the property owners in the current R-6 zones. She suggested that allowing single-family, detached homes in the MUR zones would provide more flexibility for housing types and actually simplify what the new MUR zones will be. She said she doesn’t see the point of having new MUR zones that are difficult for the average homeowner to understand. She said she would prefer not to have the complicated MUR zones. If the City moves that direction, she asked that they make it as simple as possible.

Liz Poitras, Shoreline, asked if it is true that a property owner in the MUR-45 zone would not be allowed to sell his/her home as a single-family residence. Chair Scully clarified that a property with nonconforming status could be sold as a single-family home. However, it was suggested that a nonconforming status could limit the range of buyers in terms of financing. Ms. Redinger suggested that “grandfathered” is a better term than “nonconforming.” It is a common term that people understand to mean protected as long as it is not abandoned for more than 12 months. When a property owner wants to sell a property that is deemed nonconforming, the bank will usually require a letter to certify that it is nonconforming, but it does not impact the property’s salability. She said it is anticipated that a lot of people will be attracted to the amenity of light rail, and some of them will want to live in single-family homes. The property values will probably increase for single-family houses because of the amenity of light rail and not just based on the zoning.

Ms. Redinger requested more information from citizens about why they don’t feel they will be able to stay in the neighborhood after the plan is approved. Again, she emphasized that the proposed plan would not require people to move and sell their single-family homes to developers.

Ms. Redinger said another item related to this topic is accessory structures. If an existing single-family property owner wants to add an accessory structure, would the new MUR requirements for lot coverage, setbacks, etc. apply, or would the R-6 requirements apply as long as the primary use remains a single-family home. If property owners are allowed to use the standards of the new zones, the result could be a bunch of mega homes, which are not popular, either. Again, she reiterated that those who have single-family homes will be welcome to stay, and she hopes they take advantage of the sidewalk improvements, new businesses, and other amenities that are provided as a result of redevelopment. The intent is to provide a variety of housing choices, including single-family homes.

David Higgins, Shoreline, advised that at the September 15th City Council meeting, Councilmember Roberts commented that single-family homes deprived the residents of Shoreline of access to transit. This sends a clear message that single-family homes are supposed to leave so that other people in Shoreline can enjoy transit-oriented development.

Tom Poitras, Shoreline, reminded the Commission that one of the traditional functions of zoning has been to protect homeowners. He expressed concern that maybe some of that protection will be eliminated for those who decide to stay in their single-family homes.

Chair Scully emphasized that the plan anticipates a 100-year build out, and he does not see the downside to a small amount of new single-family construction. They do not have a lot of vacant lots, and there are a number of houses that are unlikely to turn over soon. Whether their reasons are correct or based on a misunderstanding of what is going to happen, they are hearing that people who live there now want the protection of being able to retain the ability to sell or redevelop their property with a new single-family home.

Commissioner Malek said he hopes it does not take 100 years for the plan to build out. He hopes it happens a lot faster and in a way that is amicable to as many people as possible. He recalled a discussion he had with Ms. Redinger about "good versus right," or the "greater good of the community versus the right of the individual." As a realtor and developer, individual property rights are tantamount to what he does for a living, and home ownership is something he feels is uniquely American. Protecting individual property rights is a federal requirement, and people would not continue to purchase homes if they felt they could simply be tossed out by the heavy hand of legislation. He is glad there are individuals who want to live out the rest of their lives in the neighborhood. While it may not be the highest and best use of the property, no one is trying to drive people out. However, he senses a concern amongst property owners that they might be priced out of the market.

Commissioner Maul agreed that the City should not take choices away from people. The subarea plan is intended to be long-range, and it should be worded properly so that the existing properties are grandfathered and can stay a long time into the future. He noted there are numerous good examples of this throughout Puget Sound. The plan needs to be done right so it works for everyone.

Mr. Cohen explained that, currently, the City uses a passive approach in the way it handles grandfathered uses. Even though the zoning might change, property owners can continue to use the buildings. A more active approach would be appropriate if the City is interested in accelerating the transition of the MUR zones. Chair Scully said he does not believe a more active approach is necessary, and there are benefits associated with homeowners' feelings of security and upkeep of existing properties. While he understands that the proposed plan would not push out existing single-family homes, they need to do a better job of helping property owners understand that it is okay to have a single-family house in the subarea.

Commissioner Moss expressed her belief that single-family housing would be quite compatible with the MUR-35 and MUR-45 zones. However, prohibiting the use in the MUR-85 zone merits further discussion given the heights and uses allowed and its proximity to the light rail station. She agreed that change will happen over a period of time, and it is important to provide safeguards for the existing property owners. She noted that property values near the stations south of Seattle actually increased more than expected because people were willing to purchase single-family homes in the vicinity in order to be close to light rail. While she does not discount the concerns, there are different buyers, markets and situations that can keep things in balance.

Ms. Redinger summarized that the Commission generally supports allowing single-family, detached homes as a by-right use in the MUR-35 and MUR-45 zones, but not in the MUR-85 zone.

Minimum Densities

Ms. Redinger explained that in an effort to reserve land near the future station for transit-oriented development, staff is proposing minimum density standards for the MUR-85 zone. Minimum density standards have also been proposed for the MUR-35 and MUR-45 zones to support transit and neighborhood-serving businesses along the 185th Street Corridor. She noted that at the September 15th City Council Meeting, Councilmember Hall suggested that a minimum of 12 units per acre would be more appropriate in the MUR-35 zone.

Mr. Eernisse explained that as the projections for growth in the Puget Sound Region have grown over the past 10 years, jurisdictions have had to make adjustments to accommodate the growth. Unfortunately, many developers are seeing the situation from a different perspective. Most developers of single-family detached homes are running out of land and have had to move further and further from the urban areas. They are running up against the growth boundaries and are crying out to the legislature to open more land for development. This is not likely to happen, and more building types will be needed to satisfy the demand. With the light rail station area planning, the City has an opportunity to approach the development community about the concept of attached single-family housing, such as row houses and duplexes

Mr. Eernisse shared some potential concerns related to minimum densities, particularly in the MUR-35 and MUR-45 zones. He provided a map of the proposed MUR-35 and MUR-45 zones, noting that the MUR-45 properties on the north side of North 185th Street are only 300 feet deep. However, the MUR-45 properties on the south side of North 185th Street are about 650 feet deep, which is much deeper than shown on Mr. Clark's illustration. Mr. Clark's illustration shows 45-foot tall buildings along North 185th Street that provide about 40 to 50 units per acre, which would exceed the proposed minimum density of 18 units per acre. However, it shows attached, single-family development (duplexes, row houses, etc.) on the MUR-45 properties further north from North 185th Street that would only result in between 9 and 18 units per acre. When blended together, this variety of uses would well exceed the minimum density of 18 units per acre, but a minimum density of 18 units per acre for all properties in the MUR-45 zone might preclude attached, single-family homes such as row houses and duplexes, which are very desirable building types.

Mr. Eernisse explained that there will likely be two types of developers in the MUR-35 and MUR-45 zones. Developers of tall apartment buildings are typically single-asset LLC's that are managed by one person. Rather than having employees, they subcontract with every trade. Developers who construct for-sale, attached, single-family units typically have a group of employees who build as the units are sold. They might start off building three to eight units. If those units sell, they will continue to acquire lots or open new phases. Because these two types of developers will not necessarily build at the same time, implementing a blended development approach might not be appropriate.

Mr. Eernisse explained that for-sale, stacked flats are not attractive projects for developers because liability for condo building is extremely high. He said there are two types of condo builders in the market now. Those who build large towers of condominiums can self finance and self insure their projects. Most of these units will be small and serve as rentals for singles and couples. Other developers prefer to build town home structures that sit on the ground so the liability is much lower.

These single-family, attached houses will compliment the neighborhood and attract families with children. While the units will be denser, they will be compatible with the existing single-family neighborhoods.

Again, Mr. Eernisse cautioned against implementing a minimum density requirement in the MUR-45 zone, particularly where the depth is greater than 300 feet. A requirement of this type could result in too many tall buildings that are less compatible with the surrounding residential neighborhoods. He recommended the City define the product type and location rather than densities, and then harness the fact that developers will maximize density within each product type. He explained that it will be in a developer's best interest to maximize not minimize the product type and build as many units as possible. While he recognized that establishing a minimum density is one way to define the product type, there might be better ways that are not quite so numerically specifically.

Mr. Eernisse invited the Commissioners to provide feedback about whether or not they support minimum densities. If so, where should the densities be set?

Commissioner Maul agreed with Mr. Eernisse that the City should not establish a minimum density requirement. The proposed plan uses a form-based approach that is less about density and more about design than traditional zoning. He agreed that developers will likely maximize the density allowed in each zone.

Commissioner Moss pointed out that some developers may decide to focus on high-end buyers who want larger homes close to the light rail station. Requiring a minimum density would really narrow the footprint of the floor plans of future development. Developers will want to maximize their dollar, depending on their target market. Therefore, she is not convinced that a minimum density requirement in the MUR-35 and MUR-45 would be an advantage to encouraging a broad mix of development. The issue is entirely different in the MUR-85 zone.

Chair Scully cautioned against catering to short-term demand, which will hurt the City long-term. Right now, there is a demand for attached, single-family housing, but the situation may change at some point in the future. If row houses are constructed in the short term, it is not likely they will be redeveloped even if the market changes to support development that utilizes the entire 45-foot height limit. However, he agreed with Commissioner Moss that there would not likely be a lot of benefit to having a minimum density requirement in the MUR-35 and MUR-45 zones.

Chair Scully asked if there is a better way, other than a minimum density requirement, to discourage four-pack development, which he views as an anti-community type of housing product. Mr. Eernisse explained that the MUR-35 zone was modeled after Seattle's L3 zone, and the MUR-45 zone after Seattle's NC-45 zone. Staff has discussed trying to avoid this housing type via the form-base that is defined in the code. He invited them to discuss this issue further with staff.

Mr. Eernisse agreed with the Commission that minimum density is a totally different issue in the MUR-85 zone. The MUR-35 and MUR-45 zones represent properties that can redevelop now to support positive things happening in the MUR-85 zone later. He sees it as birthing the transition in a very

respectful way for single-family neighborhoods, giving the commercial amenities a place to go in early on North 185th Street.

Ms. Redinger summarized that the Commission supports allowing detached single-family uses in the MUR-35 and MUR-45 zones. They also support no minimum densities in these two zones. Minimum densities will be retained in the MUR-85 zone, and detached, single-family residential uses will continue to be prohibited in the draft development regulations. The Commission can continue their discussion of these topics at a future meeting.

Ms. Redinger announced that the Commission's October 16th agenda will include discussions about alleys, frontage amenities, underground utilities, components required in the MUR zones without a Development Agreement, and permitted uses and standards for the station, including rail facilities.

Commissioner Montero asked if the Commission would discuss micro housing at some point in the future. Ms. Redinger said this complex topic continues to come up, and the sentiment seems to be not to hold up the development regulation discussions by getting mired in this controversial topic. They may include a policy to study it after the light rail station subareas have been adopted citywide. Director Markle added that micro housing is already allowed in the City. The issue is about whether or not there should be additional controls and/or standards applicable to the use in the MUR zones. Chair Scully said he would prefer the Commission address potential impacts associated with micro housing in the MUR zones now rather than later. Commissioner Montero suggested that perhaps micro housing could be controlled via simple changes to the current definitions. Director Markle announced that the City just received a proposal for a micro housing project on Aurora Avenue North. Commissioner Moss pointed out that micro housing is a hot topic that applies to more than just the light rail station subareas. Given that it is a permitted use in many zones and the City has already received an application, she agreed with Chair Scully that they should discuss the issue soon.

Ms. Redinger advised that the November 6th meeting is scheduled as a rap-up meeting where the Commission will review the draft Development Code page-by-page to make sure staff captured all of the issues and amendments recommended by the Commission. Staff will bring back the final EIS for the Commission's review and discussion on November 20th. The Commission will discuss the draft subarea plan and planned action coordinates on December 4th, and any unresolved topics will be covered at their December 18th meeting. She emphasized the importance of the Commission having ample opportunity to review each of the components that will be adopted as part of the full package. While they may not receive the draft elements two weeks in advance of their work meetings, they will have ample opportunity to review them prior to the public hearing in January.

Commissioner Moss suggested that the Commission consider having a special meeting on October 30th to discuss micro housing.

DIRECTOR'S REPORT

Director Markle announced that Part II of the Design Workshop for the 145th Street Station Subarea is scheduled for Thursday, October 9th, from 6:00 to 8:00 p.m. in the Council Chambers at City Hall. She invited Commissioners to attend.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

There was no new business.

REPORTS OF COMMITTEES AND COMMISSIONERS/ANNOUNCEMENTS

There were no reports or announcements from Commissioners.

AGENDA FOR NEXT MEETING

There was no additional discussion about the next meeting agenda.

ADJOURNMENT

The meeting was adjourned at 9:16 p.m.



Keith Scully
Chair, Planning Commission



Lisa Basher
Clerk, Planning Commission