

# CITY OF SHORELINE

## SHORELINE PLANNING COMMISSION MINUTES OF REGULAR MEETING

January 15, 2015  
7:00 P.M.

Shoreline City Hall  
Council Chamber

---

### Commissioners Present

Chair Scully  
Vice Chair Craft  
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, Planning Manager, Planning and Community Development  
Miranda Redinger, Senior Planner, Planning and Community Development  
Julie Ainsworth Taylor, Assistant City Attorney  
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, Vice Chair Craft and Commissioners Maul, Montero, Moss and Strandberg. Commissioner Malek arrived at 7:03 p.m.

### APPROVAL OF AGENDA

The agenda was accepted as presented.

### APPROVAL OF MINUTES

The minutes of December 18, 2014 were adopted as corrected.

### GENERAL PUBLIC COMMENT

No one in the audience indicated a desire to address the Commission during this portion of the meeting.

## **PUBLIC HEARING: 185<sup>TH</sup> STREET STATION SUBAREA PLAN (185SSSP)**

Chair Scully reviewed the rules and procedures for the public hearing and then opened the hearing.

### **Staff Presentation**

Ms. Redinger provided a broad overview of the process to date, which included a large community meeting for both the 145<sup>th</sup> and 185<sup>th</sup> Street Station Subarea Plans on May 22, 2013 and several visioning events. Public comments from these events are available on the City's website.

Ms. Redinger advised that design workshops were held on November 5 and 6, 2013. At that time, the community indicated support for smart growth and transit-oriented development and stronger east-west connections. Making 185<sup>th</sup> Street a main corridor connecting Aurora Avenue N, Town Center and North City was a theme of discussion, and there was a desire for complete streets, pedestrian/bicycle connections, and public art. There was also a focus on supporting existing commercial uses, including retail uses that serve the neighborhoods. The community indicated a strong interest in what could happen with the Shoreline Center, but emphasized the importance of retaining the existing uses, particularly the sports fields. Shared parking solutions were encouraged, as well as emphasizing Shoreline's assets as a great place to live with excellent schools and parks. The plan should focus on residential development and providing a variety of housing choices. Affordability and quality of design were particularly important. The public also indicated a desire to enhance neighborhood identity and public amenities.

Ms. Redinger explained that, using the ideas put forward during the design workshops, the consultants created a series of sketch-up models and zoning maps, which were presented to the community on February 20, 2014. The Draft Environmental Impact Statement (DEIS) was published in June, and a community meeting was held on June 3, 2014. The DEIS analyzed three potential zoning scenarios (no action, some growth, and most growth). The purpose of the DEIS was to analyze the impacts on systems such as transportation, utilities and schools and identify mitigation to accommodate future growth over time.

Ms. Redinger advised that both the DEIS and the Final Environmental Impact Statement (FEIS) considered how development would occur over a 20-year period, as well as full build out for each of the potential zoning scenarios. Each scenario had a different build-out timeframe, but all were based on a growth rate of between 1.5% to 2.5%. She explained that the plans analyzed in the DEIS and FEIS identified a new zoning concept of Mixed Use Residential (MUR):

- The **MUR-35' Zone** is intended to be the same height limit as existing single-family residential development would allow additional housing choices. It also allows existing single-family homes along arterials to be converted to business or office uses.
- The **MUR-45' Zone** is used as a transition between the MUR-85' zone and MUR-35' zone, and is intended to create more neighborhood-serving business space.
- The **MUR-85' Zone** is based on factors the City Council considered when choosing zoning alternatives, including the City's long-range vision and regional and local policies related to focusing transit-oriented development near stations. The Commission has discussed the idea of potentially

allowing development of up to 140 feet in the MUR-85'+ zone with a development agreement process. This highest intensity use would apply to the properties closest to the station.

Ms. Redinger advised that the Environmental Impact Statement (EIS) process started with a scoping workshops in February of 2014, and the Planning Commission conducted a public hearing on the DEIS on July 10, 2014. The City Council selected the preferred alternative to be studied in the FEIS on August 25, 2014, the consultants moved forward with additional study of the preferred alternative, as well as the potential to phase the adoption of zoning for that alternative. The FEIS was published in November of 2014.

Ms. Redinger reviewed that the Planning Commission discussed Development Code Regulations related to the subarea plan at seven meetings between August and December, 2014. The draft 185SSSP was published in December of 2014 and discussed by the Planning Commission on December 4th. The subarea plan contains the Comprehensive Plan designations, policies and implementation strategies, and the Planned Action Ordinance (PAO) contains the zoning map, mitigation measures, and development regulations. She referred to Ordinance 702, which is currently before the Commission for review, and said the Planning Commission's recommendation regarding Ordinance 702 will be discussed by the City Council in February.

Ms. Redinger reviewed that, since the Commission's last meeting, the subarea plan was updated to include the Comprehensive Plan Map and definitions for the new land-use categories. She explained that, typically, the land-use categories describe a range of potentially appropriate zoning. However, each of the land-use designations in the 185SSSP will be tied directly to a zoning designation. That means it will not be possible for property owners to request up zones. She reviewed the land-use designations as follows:

- **Station Area 1 (SA1)** encourages transit-oriented development in close proximity to future light rail stations. The designation is intended to encourage high-density residential, building heights in excess of six stories, reduced parking standards, public amenities, commercial and office uses that support transit stations, neighborhood serving businesses, employment and other amenities desired by residents of the light rail station subareas. The zoning designation appropriate for this land-use designation is MUR-85'.
- **Station Area 2 (SA2)** is meant to be a transition between the SA1 and SA3 land-use designations, and is intended to provide many of the same transitions and housing choices. The zoning designation appropriate for this land-use designation is MUR-45'.
- **Station Area 3 (SA3)** is intended to provide a transition between the SA2 and single-family zoning. The appropriate zoning designation for this land-use designation is MUR-35'.

Ms. Redinger recalled that some Commissioners have suggested that additional language be added to the implementation strategies (Chapter 7), which identifies implementation action items from 2015 to 2018, from 2018 to 2023, and 2023 and beyond. She acknowledged that there are a number of important steps that still need to be fully worked out. For example:

- **Parks.** The subarea plan identifies the need for a number of new parks, but it does not identify specific locations. The City has been reluctant to identify locations on the map that would imply

imminent domain because it does not intend to utilize this option. The plan makes it clear that many acres within the subarea would be needed for additional park space, but the details would need to be worked out by the Parks Board and the Parks Department when the Parks, Recreation and Open Space Master Plan is updated in 2017. Possibilities include implementation of an impact fee or a dedication program.

- **185<sup>th</sup> Street Corridor Study.** This study still needs to be programmed into the City's budget. While a cross section has been created, it is not an engineering level drawing. The FEIS identifies some mitigation, but more detailed information is needed to better understand the amenity zone, sidewalks, bike lanes, side streets, etc.
- **Streetscape.** Should there be standards for such items as benches, planters, and public art?
- **Sound Transit Station and Parking Design.** Sound Transit will have its own process for designing the station and parking garage, and the City will participate and share the comments it has received from the community.
- **Green Building.** Policies have already been included in the subarea plan related to green building. However, it has been suggested that additional policies might be appropriate, such as adding a specific stormwater incentive as an implementation strategy.
- **Affordable Housing.** The plan already includes several progressive incentives, regulations and mandates related to housing affordability that support policies in the Comprehensive Plan. While there is significant community support for this concept, the City needs to develop a program to further the goal. Concepts include a housing trust fund and fee-in-lieu program.

Mr. Szafran reviewed the minor Development Code revisions that have been made since the Commission's last review based on feedback from the City Council, Planning Commission and public:

- **Definition Section.** Definitions were added for the terms Built Green, LEED and Transfer of Development Rights (TDR).
- **Section 20.50.400(E).** This language was amended to clarify that the automatic 25% parking reduction within ¼ mile of the station cannot be combined with parking reductions in other sections of the code.
- **Section 20.20.032.** The definition for "light rail transit system" was modified by eliminating the reference to at grade or above grade.
- **Section 20.20.034.** The definition of "microapartments" was amended to eliminate the minimum size. The building code limits how small the units can be. Although a definition for microapartments is included in the subarea plan, the use would still be prohibited in all MUR zones.
- **Section 20.30.355(5)(C).** A minimum area was added to define a neighborhood amenity. As proposed, at least 30% of the floor area must be open and accessible for the community.

Mr. Szafran advised that, in addition to the amendments outlined above, the Planning Commission also discussed the following potential amendments:

- Prohibiting convenience/drug stores in the MUR-35' and MUR-45' zones.
- Changing the catalyst program for affordable housing to a tiered program.
- Adjusting the phasing boundaries.
- Including a mandatory requirement for affordable housing in the MUR-35' and MUR-45' zones.

- Requiring LEED Platinum for development agreements in the MUR-85'+ zone.
- Requiring 4-Star Built Green or LEED Gold as mandatory in the MUR zones.
- Prohibiting research and development uses in the MUR zones.
- Requiring development agreements in the MUR-85'+ zone to pick three rather than two options.
- Requiring setbacks in all MUR-85' zones.
- Allowing parking reductions for affordable housing at 60% Average Median Income (AMI).

Mr. Szafran said staff is recommending approval of Ordinance 702, which would adopt the subarea plan, including the minor code and plan revisions as presented.

### **Public Testimony**

Chair Scully summarized that the public hearing represents the end of a long process (nearly 2 years) for the Planning Commission. The purpose of the hearing is to accept public comment and formulate a recommendation to the City Council, who will make the final decision.

**George Whiteside, Shoreline**, pointed out that turning right or left from 12<sup>th</sup> Avenue NE onto NE 188<sup>th</sup> Street is quite difficult. It is a fairly narrow street, with people parking on both sides. He also noted that there are no streets for several blocks on 15<sup>th</sup> Avenue NE when heading north from NE 188<sup>th</sup> Street. Most people use Perkins Way or NE 188<sup>th</sup> Street to travel east. On numerous occasions, he has watched people come over the hill on the wrong side of the street and the situation will only get worse when people from Lake Forest Park and other locations use NE 188<sup>th</sup> Street to access the transit station. He suggested that a three-way stop sign at NE 188<sup>th</sup> Street and 12<sup>th</sup> Avenue NE would provide a simple solution.

Mr. Whiteside noted there is no sidewalk on the west side of 15<sup>th</sup> Avenue NE, and there is no crosswalk to get to the sidewalk on the east side. He also noted that 15<sup>th</sup> Avenue NE is a steep hill, and he is concerned about the safety of children who need to cross the street to get to school. He acknowledged that the topography of the street makes it difficult to add a sidewalk on the west side, but there should be safe access to the sidewalk on the east side. This will be even more important as traffic is added.

Mr. Whiteside expressed concern that, although parking is required for condominium development, parking is a problem on the streets because owners charge tenants to park in the off-street spaces. He expressed his belief that future projects should require parking for tenants, as well as additional parking for guests. He does not think public transit will address all of the parking needs in the subarea.

**Wendy DiPeso, Shoreline**, said it is imperative that the City and Planning Commission have all the information they need to make necessary adjustments to the current proposal. She and one other community member previously met with Rachael Markle and referenced property in the proposed rezone area that already has significant surface water issues. It is important to note that the City has not conducted a hydrology study of the area, and it does not have a staff hydrologist. Therefore, the Planning Commission and City Council will be basing their decisions on the best use of the properties within the rezone with incomplete knowledge of existing wetlands and watercourses or what effect the new hardscape will have on diverting the existing water courses. She noted that there is a significant overlap if the proposed rezone is overlaid with the map of citizen flooding complaints. The current plan

of requiring individual developers to pay for hydrology studies that cover the entire rezone area would be inappropriate and ineffective in determining impacts.

Ms. DiPeso said that, as residents more familiar with the details of the area than the Planning Commission or City Council, she and her neighbors agree that at least 1/3 of the properties within the proposed rezone will be expensive or impossible to redevelop into high-density housing. Without a hydrology study, there is no way to understand the consequences of redevelopment so that a well-informed decision can be made. She suggested that an alternative would be to rezone the north side of NE 185<sup>th</sup> Street near the station and the conference center; and with the aid of a hydrology study, identify properties unsuitable for high-density development and keep them zoned single-family. The City could create a fund for purchasing a few properties each year within these areas for turning into the open space that will be needed to deal with the surface water runoff from future redevelopment in adjacent areas. This would accomplish several things:

- Prevent the neighborhood from becoming fractured by spot redevelopment and increased flooding risk in other areas. Developers will purchase the higher lands for redevelopment, which will impact properties downstream.
- Reduce the cost of purchasing land for open space, as it will still be zoned single-family.
- Allow the City the flexibility to respond to advances in communication and transportation technology around the station. A phased approach to rezoning in smaller increments would allow the City to learn from each phase, implement improvements, and prevent the estimated 37% increase in surface water runoff that comes with the current proposal.

Ms. DiPeso closed her remarks by noting that anything south of NE 185<sup>th</sup> Street is part of what used to be a lake. While it was partially filled in, there is a huge drop from NE 185<sup>th</sup> Street, making the properties nearby expensive to redevelop. The properties north of NE 185<sup>th</sup> Street, where residential uses already exist, would be a good place for MUR-85'. Once this small area is redeveloped, future changes could be planned out.

**Dan Jacoby, Shoreline**, said his comments would focus on two fairly obvious problems with the current preferred alternative. First, the proposed MUR-85' zone extends all the way to NE 195<sup>th</sup> Street, from 1<sup>st</sup> Avenue NE to 10<sup>th</sup> Avenue NE. He noted that many of the lots in this area, especially the northern section, would require people to drive out of the parking garage onto a narrow street and turn onto another narrow street to eventually reach NE 185<sup>th</sup> Street, which isn't all that wide. He expressed his belief that the traffic problems associated with the proposed plan are insane. From his experience, the proposed zoning would never been allowed in New York City, which has the most extensive mass transit in the country. He predicted the proposed plan would result in serious troubles.

Second, Mr. Jacoby expressed concern that once the properties in the proposed MUR-45' zone along the south side of NE 185<sup>th</sup> Street from Ashworth Avenue to 3<sup>rd</sup> Avenue NE are developed to the maximum height, a solid shadow would be created that could extend to the north side of the street, as well. The preferred alternative would darken the neighborhood and clog its streets, and he felt the City could do better. He urged the Commission to take more time to review the problems and perhaps scale down the proposal.

**Elizabeth Whiteside, Shoreline**, expressed concern that the greatest amount of work done for the study was for the properties on the west side of 10<sup>th</sup> Avenue NE. Although this is where most of the people will be located, it is important to keep in mind that many people will access the transit station via 15<sup>th</sup> Avenue, and there is no easy way to get them over to the station. She asked the Commissioners to visit NE 188<sup>th</sup> Street and observe how fast traffic comes up and over the hill. Secondly, she expressed concern that parking would spill out onto the streets, as is evidenced by recent development. She summarized that she would like the City to do more work on the east side of 10<sup>th</sup> Avenue NE.

**Dan Dale, Shoreline**, said he was present to share the following points on behalf of the 185<sup>th</sup> Street Citizen's Committee (185SCC):

- The 185SCC generally supports phased zoning because it would result in focused development in and around the station and extending onto 185<sup>th</sup> Street.
- The City should consider offering property tax exemptions in targeted areas throughout the City, particularly in the station areas. As redevelopment occurs over time, the program could be altered so the City receives more from developers.
- The potential for additional height beyond 85 feet in the MUR-85'+ zone is of significant concern to the 185SCC and many people they have spoken with. The 185SCC recommends that opportunities for additional height over 85 feet should be limited to just the properties around the Shoreline Center. They also recommend that the City require something from developers in the MUR-85' zone to achieve a height greater than 45 feet. The land may be more sought after in the future, and the City may be able to get developers to pay for needed infrastructure and amenities.
- A full 185<sup>th</sup> Street Corridor Study needs to be completed, and money should be set aside in the City's 2016 budget for this purpose. Much of the plan's success depends on people being able to get to the station.
- More than one park is needed in the subarea, and the 185SCC urges the City to partner with Seattle City Light to protect and improve the corridor green space rather than allowing it to be used for surface parking to serve future development. Rotary Park should also be protected, as it is a valuable green space with a lot of potential.

**Merissa Reed, Shoreline**, said the 185SCC's discussion has centered on a desire to create an urban village that has personality rather than just a sleeper community for Seattle; and walkability will play a significant role in the subarea's success. There must be good connections between the businesses in North City, Town Center and the station subareas. She noted that many people have raised concerns about parking in the subarea. Overflow parking from apartment buildings can be problematic because the streets are narrow. She urged the City to include parking regulations to address this issue. Lastly, she said she supports a requirement for underground utilities within the subarea.

Mr. Dale reminded the members of the audience that there is still a lot to be decided. He encouraged them to remain engaged in the process, come to the meetings and share their comments and concerns.

**Lindsay Fromme, Seattle**, said she was present to represent Forterra, a non-profit, regional organization dedicated to conserving great landscapes and creating great communities. She advised that, currently, Forterra is part of a consulting team conducting a feasibility study for potential City participation in the Landscape, Conservation and Local Infrastructure Program (LCLIP), which would

give the City access to new financing to invest in improvements that support redevelopment while simultaneously protecting farm and forest land. Having conducted similar studies for eight other cities, Forterra brings a depth of experience, expert analysis and objectivity to this project. She clarified that although the 185SSSP is one of four districts in the City included in the study, the analytical element of the study is distinctly separate from the rezone process.

Ms. Fromme explained that Forterra's work is driven by the Cascade Agenda, which is a 100-year vision and action plan that promotes the protection of resource landscapes and the building of attractive, prosperous communities. The City of Shoreline adopted a resolution in 2007 to become a Cascade Agenda City, which recognizes the alignment of interests in creating a vibrant city that grows gracefully, enhancing its citizens' quality of life. She emphasized that growth is coming to the region and to Shoreline, and Forterra is highly supportive of the City's efforts to anticipate the changes that lie ahead. They support the proposed subarea plan that supports businesses, encourages a walkable community with access to transit, and offers a range of housing choices, all of which will further Shoreline's goals for sustainable growth. The careful thought and community input given to the subarea plan will strengthen the character of the City while encouraging growth where and how it is desired.

**John Behrens, Shoreline**, said he lives in the middle of the subarea and is concerned that potential zoning changes are being considered for the 185SSSP without complete information. He reminded the Commission that in an out-of-court settlement, the City agreed to allow the development of Arrabella II (formerly part of the North City zone) to be included in its yet to be defined 185<sup>th</sup> Street zone. This assumes the formation of an agreed-to zoning level that was done in executive session by the City Council without any public process and would seem to obligate the creation of certain zoning standards. The Commission and the citizens of Shoreline have the right to a transparent public process, and he hoped the Commission would carefully review the agreement.

Secondly, Mr. Behrens submitted detailed aerial photographs done in 1936, which he obtained from the Shoreline Historical Society. The photographs show the original drainage and historic waterways in the area. Skilled analysis of these photographs may demonstrate original water courses that still exist. Some, if not all, of this water is still moving through the area either in piped courses or at ground level. Any attempt to develop many of these lots will prove extremely expensive, if not impossible, leading to numerous orphaned properties spread amongst the neighborhood causing a great potential for blight and decay. He asked the Commission to weigh this information carefully when deciding the eventual land use designations. He reminded the Commission that King County created the stormwater retention area in Cromwell Park to address some of the existing stormwater issues. Ignoring this important issue places the entire area at potential environmental risk and seriously impacts the developmental capacity of many of the lots in the subarea.

Mr. Behrens advised that, several weeks ago, Rachael Markle and his neighbor, Wendy DiPeso, walked through the neighborhood to identify areas of standing water, some of which never dry up. The site on the corner of NE 183<sup>rd</sup> Street and Ashworth where a cottage home development was built several years ago had to have the foundations filled with gravel because there was water in the cellars after construction. From his observation and experience in this area, he said it is important to focus on properties that are economically feasible to develop and exclude areas that have limited capacity. It is premature to determine land use without considering drainage and stormwater issues. The FEIS



identifies a 37% increase in stormwater runoff, and a comprehensive study is needed to find capacity for this major increase. Starting with what currently exists is only logical.

**Kevin Osborn, Shoreline, Vice President, North Urban Human Services Alliance (NUHSA)**, applauded the Planning Commission and City staff for recognizing community needs and writing regulations for the 185SSSP that will generate housing that is affordable for low and moderate-income households. He said he strongly supports requiring the provision of affordable housing in the subarea and urged the Commission to support the Housing Development Consortium's (HDC) technical comments that will be provided. He said he wants his community to be a place where people of all incomes can thrive, and the upzone is a chance for the City to honor its commitments to the entire community in creating an equitable future. The proposed plan sets the stage for this vision.

**Peter Watters, Shoreline**, expressed concern that the City's vision for the future does not include the current residents. The early meetings, where formative ideas came through, were not readily advertised or were misadvertised. It was not clear that the proposed plan would completely transform the neighborhoods. Rather than a sign on NE 185<sup>th</sup> Street where there is no foot traffic and car traffic zips by, the City should provide information about what they are really proposing in more prominent locations. While he understands the subarea plan is intended to be visionary, it does not represent the vision he wants for his neighborhood. He concluded by questioning the need to rush the plan forward.

**Janet Way, Shoreline**, said she was present to represent the Shoreline Preservation Society, a non-profit group that advocates for the environment and stuff worth saving in Shoreline. She referred to a letter she submitted to the Commission prior to the meeting and reiterated that there is a probable likelihood of significant, adverse and severe impacts to the environment if the proposed plan is approved. She voiced concern that the process has been flawed, and the society is particularly concerned that staff is still proposing ideas on the last day of the hearing. She noted that Goal CP2 on Page 7 of the Comprehensive Plan states that the City should "consider the interests of the entire community and the goals and policies of this plan before making planning decisions. Proponents of change in planning guidelines should demonstrate that the proposed change responds to the interest and changing needs of the entire city, balanced with the interests of the neighborhoods most directly impacted by the project." She commented that many have expressed concern that the height and scale of development in the subarea would have a significant impact on surrounding neighborhoods.

Ms. Way also voiced concern about potential surface water impacts associated with the proposed subarea plan. She referred to two watershed maps, which she submitted earlier. One map is of McAleer Creek, which runs north into Lake Forest Park and is a salmon stream. The other map is of Thornton Creek, which is the largest watershed in Seattle and Shoreline and a salmon stream, as well. She noted that the maps correspond with the concerns shared earlier by Mr. Behren's about existing surface water problems. Many of the properties in the subarea were former wetlands, and there are still remnants of these sensitive areas. She referred to the summary of impacts associated with the subarea plan (Page RG-31 of the Review Guide), which indicates that at full build out there will be a 37% increase in surface water, a 661% increase in the demand for wastewater services, a 699% increase in the demand for electricity and the total gallons of water needed per day will increase from the current 669,000 to 5,120,637.

Ms. Way encouraged the Commissioners to read her letter and consider her comments and concerns. She concluded her remarks by urging the Commission to take its time. They should ask questions and delay making a decision, if necessary, if more information is required. It is more important to get the plan right and to make a decision that the community supports than to rush into a decision because of an artificial deadline imposed by a time clock. She expressed her belief that the proposal is still not fully formed or explained properly and should be remanded back to staff for more work.

**Pamela Kinnard, Lake Forest Park**, said she lived in Shoreline for 12 years and works for the Shoreline School District as the homeless education liaison. She said that, currently, there are 261 homeless families within the district. Over 200 of those families are doubled up with other families because they cannot afford housing. This is a significant number and does not include families without school age children. She was glad to discover that the City of Shoreline has placed affordable housing as a priority on the corridor, and she urged them to continue. The community should be home to all economic levels of people. When families are doubled up, they have found that children do not have space to study and progress. They fall behind, creating another generation of problems. Having an affordable place to live is very important.

**Bill Galanti, Shoreline**, said he lives on 10<sup>th</sup> Avenue NE, outside of the proposed subarea. He acknowledged that his property would not be as impacted as those within the subarea. He voiced concern that the existing streets would not handle the traffic associated with the increased densities proposed in the plan even if the station is never developed. People coming to the station will use the existing narrow streets, including 10<sup>th</sup> Avenue NE to avoid 15<sup>th</sup> Avenue NE where the number of lanes was reduced from two each direction to one each direction, with a center turn lane. He questioned the City's plan for addressing these significant traffic increases that will impact not only properties in the subarea, but neighborhoods outside of the subarea. He voiced concern about the proposed 85-foot height limit in the MUR-85' zone. While it would allow developers to recognize a greater profit, it would have a significant impact on surrounding neighborhoods.

**Will Sigman, Shoreline**, said he owns property on 1<sup>st</sup> Avenue NE and is in favor of a non-phased zoning approach. While he acknowledged concerns about the potential for spot development, developers will likely put everything they can into the core area. He suggested they "rip the band aid off and get it over with" to remove the uncertainty and allow the City to continue on with the rest of the studies.

**Michelle Wagner, Shoreline**, agreed with Mr. Sigman and reiterated Chair Scully's earlier observation that this has been a two-year process. Having served on the Planning Commission, she recognized that no matter how much opportunity the public has to comment, there will always be people who come in at the very end of the process and say they had no idea what the City was proposing. She emphasized the need for the City to stick with the tenets that have already been set; the Comprehensive Housing Strategy, Comprehensive Plan, and subarea goals all support having density that reduces traffic congestion for the region. The plan contemplates and supports having affordable housing, green spaces, walkability, bicycle access, and safety for all citizens.

Ms. Wagner expressed her opinion that the plan does not need to contemplate exactly what is going to happen and how long it will take. While people have argued that the City cannot predict what is going

to happen in 70 or 100 years, she knows that her children, who are 7 and 9, will be in college by the time the light rail station is fully functional and taller buildings are constructed in the area. The children they are concerned about will be voting adults, making decisions about where they want to live. She referred to studies incorporated into the Comprehensive Housing Strategy, which indicate that the environment is changing, and people are not wanting single-family homes with single-pane, aluminum windows any more. Instead, they want environmental-friendly structures. New development is required to comply with more stringent environmental regulations, including detention ponds that solve problems with runoff. The proposed plan would encourage the kind of development that would improve the environment within the subarea.

**Ginny Scantlebury, Shoreline**, asked that the Commission consider the historical and on-going usage of the Shoreline Center and surrounding properties. Many people in the City attended Shoreline High School and have great memories; and for the past 50 years, the building has been used as a meeting place for various groups, including the Senior Center, Shoreline Rotary Club, Shoreline Chamber of Commerce, and political groups. She observed that City Hall could not begin to accommodate all of these groups, and she questioned where they would go if the facility is no longer available. She also noted that numerous outdoor activities occur in the area, including year-round tennis, soccer, lacrosse, baseball, ultimate Frisbee, and people walking and running. She questioned where these activities could take place if the property is redeveloped. She also questioned what would happen to the swimming pool, the Spartan Gym, and the stadium. She summarized that these are all busy centers of activity that should be considered when making a recommendation on the proposed plan. She cautioned against rushing into a decision when the light rail station is not going to be built in the near future.

**Amy Gore, Seattle, Sustainable Communities Director, Futurewise**, said Futurewise is a statewide organization dedicated to creating livable communities, protecting working farmlands, forests and waterways, and ensuring a better quality of life for present and future generations. She expressed her belief that the proposed subarea plan, with its land uses and regulations, will create a walkable, mixed-use village with increased housing choice and affordability, increased bicycle and pedestrian infrastructure, neighborhood amenities, and expanded commercial space for neighborhood services. She said Futurewise supports:

- The proposed densities, which are appropriate for the long-term vision of the area and will support transit, as well as accommodate a significant share of the City's future growth.
- The proposed height bonuses in the MUR-85'+ zone, which would require additional affordable housing, higher green standards, and more public amenities like parks, open space, and landscaping.
- The proposed affordable housing requirements that will maintain housing affordability in the neighborhood and keep Shoreline affordable for current and future City families.
- The improvements to bicycle and pedestrian infrastructure, which will allow residents throughout Shoreline to access the transit station without driving.
- The attention paid to environmental sustainability through low-impact development standards, green infrastructure requirements and the option of district energy.

Ms. Gore said Futurewise has three recommendations that will support the achievement of the vision:

- The construction of new single-family housing is not compatible with the long-term vision of the transit station area. Futurewise supports the removal of single-family, detached housing as a permitted land use in the MUR-85' zone in 2020 as proposed. They also recommend a similar approach in the MUR-45' and MUR-35' zones.
- Futurewise recommends adding minimum densities for development, particularly in the MUR-85' zone. In addition, a minimum floor area ratio (FAR) of 3 is appropriate for the Station area.
- Futurewise encourages including owner-occupied units in the affordable housing requirements. While they believe single-family, detached homes are not an appropriate land use in close proximity to the station, affordable town homes, duplexes, and/or multi-family units would increase homeownership opportunities in the station area.

Ms. Gore concluded her comments by stating that, with the proposed changes, Futurewise fully supports adoption of the proposed subarea plan, which sets forth a strong vision of a vibrant, affordable and environmentally sustainable transit village. Futurewise believes the proposed plan will benefit the neighborhood, the City and the region and urges the Commission to recommend its adoption.

**Kayla Schott-Bresler, Seattle, Policy Manager, Housing Development Consortium (HDC) of Seattle King County**, said the HDC is a non-profit advocacy organization whose vision is that all people in our cities and county should have the opportunity to have a safe, healthy place to call home. She said the HDC broadly supports the subarea plan, in particular the great work done by the staff and Commission related to affordable housing provisions that will help future development be part of the affordable housing solution. She noted that she submitted a letter with a more detailed set of technical comments prior to the meeting. She summarized that the HDC strongly supports mandatory affordable housing in the MUR-45' and MUR-85' zones. However, they are not ready to draw a hard line on the MUR-35' zone and feel that more due diligence is needed.

**Julie Houff, Lake Forest Park**, said she currently lives near the border of Shoreline. She said she is shocked by the kind of development that is being proposed, and she asked the Commission to exercise caution and patience. The light rail station is exciting and will serve residents located near the freeway, but it will not serve the residents in her neighborhood. She cautioned against rushing forward, particularly when it comes to environmental impacts such as wetlands. She recalled the Aegis development proposal that came forward a few years ago and created a lot of community concern. Citizens lost trust in the government, and trust is very important. The subarea plan is a significant change, and it could go very well if the Commission exercises caution and patience and pays very careful attention to details. She encouraged them to work with the people who know the area, including where the wetlands are located and what the impacts will be.

**Laurie Olsen, Shoreline**, said she is a homeowner in the subarea and is proud of the Commission's hard work. They are trying to be visionaries and plan for the density that is coming. Although the City will continue to grow in population and need, incomes are not rising. The work the Commission is doing is remarkable, and she frequently boasts about where she lives and why. She emphasized the importance of including affordable housing requirements in the subarea plan. She acknowledged that change is hard, but additional people are coming to Shoreline, and the City needs to provide affordable housing opportunities.

**Yoshiko Saheki, Shoreline**, expressed her belief that the minimum size for parks in the subarea should be more flexible. There can be cases where a smaller park would be appropriate. She understands the City's concern about being able to care for a lot of little parks. However, given the size of the subarea, parks smaller than one acre would be an appropriate fit. She specifically referenced property in the 145<sup>th</sup> Street Light Rail Station Subarea where Thornton Creek is daylighted, which is less than one acre in size. She said she would love this property to be converted into a public park.

Ms. Saheki said that because the proposed light rail station parking structure will be so large, design will be very important so it does not dominate the neighborhood. At the same time, she believes that parking structures are notorious for attracting crime. She is hopeful the Commission will consider design standards that will minimize potential problems. Lastly, Ms. Saheki referred to Page 72 of the Staff Report and noted that the minimum required parking space for studio and one-bedroom apartments is .75 per unit. She expressed her belief that until the subareas are fully built out with grocery stores, movie theaters, restaurants and other services, people are going to own vehicles. She encouraged the Commission to require at least one parking space per unit.

**Tom Jamieson, Shoreline**, expressed disappointment with the number of people in attendance at the hearing. There are more than 53,000 people in the City of Shoreline, all of whom could be impacted by the proposed subarea plans. The number of parties on record for the 185SSSP is just 18. He expressed his belief that the public hearing is invalid because the public was not been given proper notice. The description of the proposal provided in the notice of public hearing sites a non-existent statute (RCW 43.21.031), and a person reading the notice might question why he/she should be involved. RCW 43.21(C).031, which is the intended statute, states that an "Environmental Impact Statement shall be prepared on proposals for legislation and other major actions having a probable significant adverse environmental impact." While most people present at the hearing understand the significant impacts, many people did not bother to come because they did not get adequate notice of the meeting and were unaware of the significant impacts.

**Brian Derdowski, Issaquah**, said he was present to speak on behalf of Public Interest Associates, Sensible Growth Alliance, and Shoreline Preservation Society. He noted that the proposal would do five very major things:

- Adopt a subarea plan, which represents one of the largest upzones in the history of the City.
- Adopt the City's first major Planned Action Ordinance (PAO), which would exempt all future implementing projects from SEPA and the public notice and hearing process it entails.
- Adopt the first major use of form-based zoning.
- Set the stage for future negotiations with Sound Transit for station planning.
- Authorize development agreements, which have enormous implications.

Mr. Derdowski commented that any one of the five major tasks listed above would require a very extensive process. He believes in planning commissions, which are the voice of the people. However, he believes that very few rise to the level of the expectations of the public. For example:

- The Commission's duty is to do more than conduct a hearing. They must conduct a comprehensive, detailed, open record. They need to create ways to facilitate and empower the citizenry.

- The Commission's job is to do much more than simply advise the Council. They need to provide a comprehensive road map of options to empower the City Council.
- The Commission must do more than amend the proposal. They need to provide a range of potential amendments that should at least be considered based on public testimony.

Mr. Derdowski observed that the current proposal may be a 10 to 100 year vision, but it is not a plan. What really matters is what happens in the first 5 to 10 years. The early actions will set the stage. The Commission may empower a 100-year vision, but they will get the first 10 years of whatever loopholes are created by the plan. There are unintended consequences when form-based zoning and PAO's are adopted.

Mr. Derdowski commented that communities do a very poor job of designing stations, and he just completed a major appeal of a massive upzone and station complex in Bellevue. The appeal was comprehensive and resulted in an effective settlement, and the public interest will be better served because of it. He is also involved in a potential appeal of the station in North Seattle, and the appellants have very significant issues. He summarized that Shoreline, with its limited financial resources, history, demography, and place in the regional economy, is not proposing the subarea plan by itself. There are other major upzones and projects. The question should be, what is the City's economic niche? The goal is for the subarea plan to be a success.

Mr. Derdowski shared an example of the Philadelphia Station in Newark, New Jersey, which is one of the major light rail stations in the country. The entire commercial strip is owned by small businesses. Although people can live in side-by-side houses with backyards and fruit trees, the densities support the rail station and the long-term viability of the neighborhood is dependent upon predictability for the residents. Their predictability is far more important than predictability for developers who are trying to make a quick buck. Mr. Derdowski submitted four documents for the Commission's information.

**Diane Pottinger, District Manager, North City Water District**, said the district is generally located between Interstate 5, Lake Washington, City of Seattle, and the Snohomish County line. The district serves 8,100 connections in the Cities of Shoreline and Lake Forest Park. She said she was present to address the district's major concerns related to the aggressive growth alternatives proposed in the 185SSSP. As a utility provider for the eastern half of the subarea, they have not yet identified the capital projects that will be needed to meet the increased demand, nor will they until they complete their pump station design, which is in the process of going out to bid now and will be constructed later this year. This will enable them to calibrate the hydraulic model and identify what capital improvements will need to be. The improvements will be designed to meet the district and State Department of Health standards for water systems.

Ms. Pottinger commented that in the Revised Code of Washington (RCW), the Growth Management Act (GMA) philosophy is that growth pays for growth. The North City Water District does this by requiring developers to pay connection charges to cover their share of the existing system. Developers must also pay for the cost of the improvements necessary for their development. The residents present at the hearing have already paid to install the existing water system and the improvements that have been made to the system to date. The GMA also identifies that infrastructure shall be adequate at the time the

development is ready for occupancy. The North City Water District and the developers have always done this.

Ms. Pottinger explained that once the district's capital projects have been done to the City's new designs, it will be up to developers to determine how to pay for the upgrades to the water system. The district currently has in place three different options:

- A Developer Extension Agreement where developers are responsible to pay entirely for the upgrade.
- A Latecomer Agreement where developers can pay for the water system and have up to 15 years to collect revenue from additional projects that will connect to the system.
- A Utility Local Improvement District (LID) would allow a group of property owners to work together, form a petition and agree to pay for the cost of upgrading their systems to serve their property.

Ms. Pottinger said she appreciates the Planning Commission recognizing there will be costs to the utilities to upgrade their systems to meet the proposed development requirements. The utility upgrades will have to happen first in the area.

**Dia Dryer, Shoreline**, said she lives near the proposed 145<sup>th</sup> Street Light Rail Station. She expressed concern about the staggering processes for the 145<sup>th</sup> and 185<sup>th</sup> Street Station Subarea Plans (SSSP). She is particularly concerned that people living near the 145<sup>th</sup> Street station do not clearly understand that the decisions made related to the 185SSSP will set the tone for the 145SSSP. Ms. Dryer said she is strongly opposed to minimum density zoning in the MUR-35' and MUR-45' zones. As for affordable housing, Ms. Dryer said she scrimped and saved for 10 years before she was able to purchase her home, and she puts all of her money into her home and yard and lives within her means to make her home affordable to her. She comes from two families who have never moved, and she purchased her home planning to live in it her entire life. She commented that people go to Ballard because it has a great mix, with no minimum density and a mixture of old and new homes. They do not go for the monolithic affordable housing; they go for the bars, restaurants, people walking their dogs, etc.

**David Higgins, Shoreline**, said he lives on NE 180<sup>th</sup> Street and it appears that his property will be zoned MUR-45'. He recognized that not only will the light rail station be beneficial to the majority of the region, it is also inevitable. Knowing that the zoning is inevitable, he shared his perspective as a homeowner who will be asked to sell. He commended the City Council and Planning Commission for caring about the impact to the area and attempting to mitigate the social damage that is potential with high density. However, he is asking for mitigation for the homeowners who are being asked to leave. If the City offers a property tax incentive to developers, how come no one has talked about a property tax exemption for existing residential property owners? It has been suggested by a Council Member that only 1% of the houses in Shoreline would be raised, which means a majority of people will stay. If it is only 1% of the property tax base, he would like to petition the Council for a property tax exemption in the year he is forced to move out. He asked the Commission to please consider mitigation for those who are being asked to move.

**Lisa Norton, Shoreline**, said she lives on 12<sup>th</sup> Avenue NE, near NE 175<sup>th</sup> Street. Although she is concerned that her neighborhood is being rezoned for commercial uses, she wants to focus her

comments on what has already happened there, particularly the Polaris development. While the City has been helpful in attempting to correct the problems, there have been challenges associated with parking, trash, and increased crime that were not fully considered before the development occurred. She is concerned that, without careful foresight, the proposed zoning will create even more problems as more development occurs on the site. While she understands the need for increased density, she hopes that careful consideration is given to how to best protect the current residents. In particular, she asked that they consider parking, parks, and landscape buffers.

**Melissa Lattimore, Shoreline**, said she lives between Ashworth Avenue and N 183<sup>rd</sup> Street. As per the proposed plan, her property would be zoned MUR-35', with MUR-45' zoning on the other side of her driveway. She purchased her small home 20 years ago and was planning to retire there. While she acknowledged that the subarea plan will be great for the future of the City and that the rezone is likely to occur, she asked that the City provide more information to the current property owners. For example, how long can they realistically expect to remain in their homes, and how will their property taxes change? She suggested that not enough thought has gone into what happens to the current residents who will find it difficult to relocate when redevelopment occurs.

**Bill Hickey, Shoreline**, said he lives on NE 188<sup>th</sup> Street near 12<sup>th</sup> Avenue NE. He said it is unrealistic to think that NE 188<sup>th</sup> Street will not become a primary access route to the station. Not having stop signs at the intersection of 12<sup>th</sup> Avenue NE and NE 188<sup>th</sup> Street shows a total disregard for the safety of citizens who live on the street. He asked that the Commission take this safety issue into account. Mr. Hickey said he is generally supportive of the plan. However, he would not support development that is similar to the hideous Polaris project. He strongly encouraged better taste in architecture.

**Marna Hague, Shoreline**, expressed concern that most Shoreline residents are so optimistic and positive about the upcoming light rail in 2023 that they have not worried or bothered to understand or learn how they may be impacted by the future changes. She expressed concern that residents along the 185<sup>th</sup> Street Corridor are unaware that the zoning for their properties will more than likely be changed to allow 35, 45 and even 85-foot development. She does not believe they realize that Sound Transit has plans to construct a 500-car parking garage for the light rail station that will open in 2023. She expressed her belief that the parking garage will be filled and obsolete the day it opens. As a result, the overflow parking will fill the local neighborhood, and the new parking regulations, restrictions and mitigations outlined in the plan will be implemented. The quiet neighborhood will be greatly impacted and many of the homeowners will wish they had understood the impacts ahead of time.

Ms. Hague said she does not believe the homeowners on and near the 185<sup>th</sup> Street Corridor are aware that after 2020, single-family homes will not be allowed to be built. Many people have purchased their homes with plans to retire there, and the proposed plan would significantly limit their ability to remodel. She also does not believe the property owners understand that the Shoreline Center property, which is now owned by the Shoreline School District, would be rezoned to allow 7-story buildings. While she understands that State law requires the City to have plans in place to support future population and density requirements, the City's first priority should be to negotiate with Sound Transit to build a parking garage that is sufficient to meet the needs of the station.



**Chris Ebert, Shoreline**, said he lives on 12<sup>th</sup> Avenue NE and just recently learned of the proposed plan that would change the zoning of his property to commercial. While he has gotten used to having the Polaris project across from him, he does not like that cars park on the street rather than in the on-site parking garage. He encouraged the Commission to carefully consider the parking issues that will arise as a result of increased development and require sufficient on-site parking to avoid spill over parking into the neighborhoods. He also expressed concern about how his neighborhood might be impacted by potential night-time activities associated with commercial uses. Lastly, he voiced concern that trash collection on commercial sites often occurs during the early morning hours, creating a noise impact for the existing neighborhood.

**Jan Stewart, Shoreline**, advised that she submitted written comments prior to the meeting. She specifically asked that the subarea plan include requirements for more park and open space. She also expressed concern that the proposed plan does not adequately address the best interest of those who currently live in the neighborhoods within the subarea. Lastly, she asked the Commission to honor the request made by numerous speakers that the Planning Commission take more time to review and discuss the plan before forwarding a recommendation to the City Council.

**John Behrens, Shoreline**, recalled a panel discussion where a residential mortgage specialist asked how the proposed rezones would impact a residential property owner's ability to sell his/her property for continued residential use. Although the City has indicated that existing residential homes would be allowed to continue as non-conforming uses, there is no guarantee that banks will consider the properties to be residential. He expressed concern that banks may be unwilling to approve mortgages for the existing residential uses to continue on property that is zoned for commercial. That means that a property owner's only option would be to sell the property to a commercial developer. He emphasized that before recommending approval of the subarea plan, the Commission owes it to the current residential property owners to address this issue.

### **Commissioner Deliberation and Decision**

Chair Scully thanked those in attendance for their comments. He noted that the Commission has been taking comments related to the subarea plan for a long time, and many parts of the document have been changed as a result. The Commission does take public comments seriously and does its best to incorporate the feedback.

**VICE CHAIR CRAFT MOVED TO RECOMMEND ADOPTION OF ORDINANCE NO. 702, WHICH INCLUDES THE 185<sup>TH</sup> STREET STATION SUBAREA PLAN (185SSSP), THE PLANNED ACTION BOUNDARIES AND MITIGATION MEASURES, AND AMENDMENTS TO THE CITY'S ZONING MAP, THE SHORELINE MUNICIPAL CODE (TITLE 20), AND THE DEVELOPMENT CODE AS REVISED BY STAFF DURING TONIGHT'S PRESENTATION. COMMISSIONER MONTERO SECONDED THE MOTION.**

The Commission reviewed all elements of the proposal page-by-page and made changes to the main motion, as follows:

*(Note: Commissioners and Members of the public were invited to forward grammatical errors to staff.)*

- **Planned Action Ordinance No. 702 (Attachment A)**

The Commission did not have any comments or questions or propose any changes to this document.

- **Preferred Alternative Map Delineating Planned Action Boundaries (Exhibit A)**

The Commission did not have any comments or questions or propose any changes to this map.

- **Final Environmental Impact Statement (FEIS) Mitigation Measures Recommended for both 20-Year and Build-Out Time Frames for Preferred Alternative (Exhibit B)**

Commissioner Mork referred to the Surface Water Mitigation (Page 18) and questioned why “encouraging and implementing low impact development” and “exploring a sub-basin regional approach to stormwater management” are not policy statements rather than mitigation measures.

Ms. Redinger answered that these two items were included in the FEIS as mitigations. However, as currently written, it would also be appropriate to include them as policies in the Subarea Plan.

**COMMISSIONER MORK MOVED THAT THE 3<sup>RD</sup> AND 4<sup>TH</sup> BULLETS UNDER “SURFACE WATER” (PAGE 18 OF EXHIBIT B) ALSO BE INCLUDED AS POLICIES IN THE 185SSSP. COMMISSIONER MOSS SECONDED THE MOTION, WHICH CARRIED UNANIMOUSLY.**

- **Preferred Alternative Comprehensive Plan Land Use Map Designations (Exhibit C)**

**COMMISSIONER CRAFT MOVED THAT THE ZONING IDENTIFIED ON THE MAP (EXHIBIT C) BE IMPLEMENTED IN THE FOLLOWING THREE (NOT TWO) PHASES:**

- **PHASE 1 (2015 THROUGH 2019) – BOUNDARIES FOR PHASE 1 WOULD BE DOWN NE 190<sup>TH</sup> STREET TO 1<sup>ST</sup> AVENUE NE, ACROSS 1<sup>ST</sup> AVENUE NE TO N 186<sup>TH</sup> STREET, DOWN N 186<sup>TH</sup> STREET TO WALLINGFORD, ACROSS WALLINGFORD TO N 183<sup>RD</sup> STREET, UP N 183<sup>RD</sup> STREET TO 10<sup>TH</sup> AVENUE NE, AND ACROSS 10<sup>TH</sup> AVENUE NE BACK TO NE 190<sup>TH</sup> STREET.**
- **PHASE 2 (2020 THROUGH STATION COMPLETION) – BOUNDARIES FOR PHASE 2 WOULD BE CONSISTENT WITH THE CURRENTLY PROPOSED PHASE 1 BOUNDARIES.**
- **PHASE 3 (POST STATION CONSTRUCTION) – BOUNDARIES FOR PHASE 3 WOULD BE CONSISTENT WITH THE CURRENTLY PROPOSED PHASE 2 BOUNDARIES.**

**COMMISSIONER MAUL SECONDED THE MOTION.**

Vice Chair Craft said he has listened carefully to public comment regarding the need to be careful and clearly understand the ramifications of the decision. As a Planning Commissioner, he would like to see development focused first in the area directly around the light rail station. Using a phased approach would enhance development opportunities along the 185<sup>th</sup> Street Corridor and around the proposed light-

rail station where redevelopment is most appropriate. He said the intended goal is to focus development at the station area and along the 185<sup>th</sup> Street Corridor first, and then move outward; but the phasing currently proposed would have the opposite effect. Creating a phase that attaches more specifically to the corridor would enhance the opportunity for development in that area. He acknowledged that the City cannot control what happens within the zones in the future, and unintended consequences can result. A three-phased approach would allow the City a period of time to address any unintended consequences that come up during Phase 1.

Commissioner Mork asked if Vice Chair Craft is concerned that a three-phased approach would make it more difficult for developers to aggregate properties. Vice Chair Craft said he does not anticipate that aggregation would be more difficult given that he is not proposing any zoning changes. Rather, he felt a three-phased approach would result in more concentrated development along the 185<sup>th</sup> Street Corridor and the station before moving outward.

Commissioner Moss clarified that, as per Vice Chair Craft's proposed motion, the current zoning would remain in place until the applicable phase commences. Basically, those areas that are currently zoned R-6 would remain as they are currently zoned until the later phases. Vice Chair Craft agreed.

Commissioner Montero noted that Vice Chair Craft's proposal would force development to occur along the 185<sup>th</sup> Street Corridor and near the station first and discourage development in areas outside of the Phase 1 boundaries. Vice Chair Craft acknowledged that is partially true. While there would be different zoning opportunities within the initial phase, development during Phase 1 would focus on the corridor and station area. This would afford the City an opportunity to review the results of the plan in a way that would perhaps mitigate some of the public's concern. It would also provide an opportunity for the 185<sup>th</sup> Street Corridor to be the primary focus of development. He summarized his belief that a three-phased approach would create a rational timeline for developers to plan without limiting the opportunities that might occur with regard to the overall plan.

Chair Scully voiced support for Vice Chair Craft's proposal. The Commission has discussed their desire to create a dense urban core around the light rail station. However, because the proposed MUR-85'+ zone is quite large, the City runs the risk of having big swaths of single family residential development, with apartments here and there and never getting the density of businesses that are needed to create a non-auto-dependent zone. If the area around the light rail station is developed first, a future City Council and Planning Commission would have an opportunity to adjust the plan for the remaining phases, as appropriate if development does not occur as anticipated. He emphasized that the City can always change zoning, but it cannot tear down structures that are already built. As a Planning Commission, they must draw on the experience of other cities, staff's expertise, and their own diverse experiences. If it turns out that more improvements are needed as a result of one or two developments, the City would have time to address the issue before allowing additional development to take place in the outlying areas.

Commissioner Maul questioned if excluding a portion of the 185<sup>th</sup> Street Corridor from Phase 1 would limit the City's ability to improve the entire roadway at the same time. Chair Scully explained that funding comes from development, and the less development that occurs, the less funding will be available. Concurrency is supposed to take into account the entire roadway, with the caveat that if the

City cannot afford the roadway improvements, they may have to wait. He reminded the Commission that the intent built into the plan is that new development, and not the existing tax base, would pay for infrastructure improvements.

Commissioner Malek shared Commissioner Maul's concern that the proposed phasing could limit funding options for corridor improvements. He said safety will also be a concern if traffic increases before roadway improvements can be done. Vice Chair Craft commented that including the MUR-35' zones in the initial phase would not generate revenue as quickly as it would increase traffic. Focusing development as he proposed would allow the City to focus on more prompt improvements to 185<sup>th</sup> Street rather than some of the surrounding areas.

Mr. Szafran explained that the phased approach proposed by Vice Chair Craft would not limit the City's ability to improve the entire 185<sup>th</sup> Street Corridor. The Planned Action EIS looked at the full impacts through the 20-year time frame. The same mitigation measures would be applicable if the size of the rezone is reduced. Ms. Ainsworth Taylor further explained that with adoption of the transportation impact fee program, all fees citywide would be funneled for certain identified projects. If the entire length of the 185<sup>th</sup> Street Corridor is one of the identified projects, impact fees collected throughout the City could be applied to the project regardless of whether it is in the subarea or not.

**COMMISSIONER MOSS MOVED TO AMEND THE MOTION TO EXTEND THE WESTERN BOUNDARY OF PHASE 1 ALL THE WAY THROUGH TOWN CENTER TO AURORA AVENUE NORTH. COMMISSIONER MAUL SECONDED THE MOTION TO AMEND.**

Commissioner Moss commented that as development moves east from Aurora Avenue North, it will be difficult for anyone to development supportive services on these MUR-35' properties unless they are included as part of Phase I zoning.

**THE MOTION TO AMEND WAS UNANIMOUSLY APPROVED.**

**THE MAIN MOTION, AS AMENDED, WAS APPROVED BY A VOTE OF 6-1, WITH COMMISSIONER MONTERO VOTING IN OPPOSITION.**

- **Preferred Alternative Zoning Map (Exhibit D)**

**CHAIR SCULLY MOVED THAT THE PHASING CHANGES PUT FORWARD BY VICE CHAIR CRAFT IN THE PREVIOUS MOTION BE APPLIED TO ATTACHMENT D (ZONING MAP) RATHER THAN ATTACHMENT C (LAND USE MAP). COMMISSIONER MOSS SECONDED THE MOTION, WHICH WAS APPROVED BY A VOTE OF 5-2, WITH COMMISSIONERS MONTERO AND MALEK VOTING IN OPPOSITION.**

- **Draft Development Code Regulations for the 185<sup>th</sup> Street Station Subarea Plan (Exhibit E)**

Chapter 20.20 -- Definitions

Mr. Szafran reminded the Board that staff is proposing that definitions be added for the terms "Built Green," "LEED" and "Transfer of Development Rights" (TDR). In addition, staff is recommending that the reference to "at grade or above grade" be eliminated from the definition for "Light Rail Transit System." Lastly, the definition for "Microapartments" would be amended to eliminate the minimum size requirement. He reviewed the specific language for each of the proposed amendments.

#### Chapter 20.30.355 – Development Agreements

Commissioner Moss referred to SMC 20.30.355(A) and asked if development agreements would be permitted in all zones. Mr. Szafran answered affirmatively. He emphasized that the contents of this section is divided into categories: standards for general development agreements that apply throughout the City and standards for development agreements that apply for extra height in the MUR-85'+ zone." Chair Scully clarified that the MUR-85' zone is the only zone where development agreements can allow a developer to expand beyond the height limit.

Commissioner Mork referenced SMC 20.30.355(D)(2), which would require the entire development to be built to LEED Gold standards in order to achieve a height greater than 85 feet. She pointed out this requirement would be no greater than what is already required for all development in the MUR-85 zone.

**COMMISSIONER MORK MOVED THAT SMC 20.30.355(D)(2) BE CHANGED TO READ, "THE ENTIRE DEVELOPMENT IS BUILT TO LEED PLATINUM STANDARDS." VICE CHAIR CRAFT SECONDED THE MOTION.**

Commissioner Mork expressed her belief that a development agreement should have a more stringent requirement than the basic height limit. If a developer is allowed increased height, he/she should be required to give something back to the community via improved environmental standards.

**THE MOTION CARRIED UNANIMOUSLY.**

Commissioner Moss referenced SMC 20.30.355(D)(1) and expressed concern that the upfront fee-in-lieu requirement does not have enough teeth to really promote affordable housing. It offers a fairly easy option for developers to pay a one-time fee rather than provide affordable housing.

**COMMISSIONER MOSS MOVED THAT THE 4<sup>TH</sup> SENTENCE IN SMC 20.30.355(D)(1) BE CHANGED TO READ, "A FEE IN LIEU OF CONSTRUCTING THE UNITS MAY BE PAID UPON AUTHORIZATION OF THE CITY'S AFFORDABLE HOUSING PROGRAM TO INCLUDE CONSTRUCTION AND ONGOING OPERATING COSTS AS MAY BE DETERMINED IN SMC TITLE 3. COMMISSIONER MAUL SECONDED THE MOTION.**

Commissioner Moss voiced concern that offering developers a one-time, upfront buy out to avoid doing affordable housing could create an imbalanced situation. In general, affordable housing is supposed to be built to a standard of 50 years. She would somehow like the fee-in-lieu option to capture the ongoing operating costs and not just the initial cost.

Vice Chair Craft said he can appreciate Commissioner Moss' concern but suggested it could be better addressed in SMC Title 3 rather than in SMC 20.30.355. Chair Scully concurred and suggested that the Commission needs to have a serious, robust, multi-hearing discussion on SMC Title 3 to adequately address affordable housing issues.

Director Markle suggested that a better way to address Commissioner Moss' concern is to add a policy in the "Housing" section of the subarea plan that the fee-in-lieu be commensurate with the actual cost to develop a market rate unit, and that operating costs be included as part of the equation.

**THE MOTION FAILED UNANIMOUSLY.**

**CHAIR SCULLY MOVED THAT THE FIRST SENTENCE IN SMC 20.30.355(D)(5)(g) BE MODIFIED TO READ, "APPLICANT SHALL DEDICATE PARK SPACE SUFFICIENT TO ACCOMMODATE EACH PROJECTED RESIDENT TO BE DETERMINED BY A FORMULA TO BE ESTABLISHED BY RULE IN CONSULTATION WITH THE PARKS BOARD." HE FURTHER MOVED THAT SMC 20.30.355(D)(5)(g) SHOULD BECOME 20.30.355(D)(5) AND THAT THE REMAINING LANGUAGE IN SMC 20.30.355(D)(5) SHOULD BECOME SMC 20.30.355(D)(6). VICE CHAIR CRAFT SECONDED THE MOTION.**

Chair Scully said the recommended change was brought forward by Council Member Salomon who is concerned that parks be a mandatory part of a development agreement. The City Attorney previously expressed concern about the verbiage because you cannot have a mandatory requirement without tying it to a specific impact. The proposed language would make park space mandatory for development over 85 feet. It would also require the City to determine what impact a new development would have on parks.

**THE MOTION CARRIED UNANIMOUSLY.**

Commissioner Mork referred to SMC 20.30.355(D)(6) and asked if requiring LEED Platinum standard would require a developer to do a green roof or some other kind of stormwater abatement. Mr. Szafran said surface water would definitely be part of the LEED Platinum equation. Commissioner Mork said she originally intended to add "going beyond the stormwater rules" as one of the options for additional height. This change would not be necessary, given that it would already be a requirement of LEED Platinum.

**COMMISSIONER MOSS MOVED THAT SMC 20.30.355(D)(6)(b) BE AMENDED TO ADD THE WORDS "BUILD AND OCCUPY" AT THE BEGINNING OF THE SENTENCE. COMMISSIONER MORK SECONDED THE MOTION.**

Commissioner Moss noted that, as currently written, the language would require that at least 40,000 square feet of the ground floor be built to commercial standards, but it does not require that the space be occupied by commercial uses. If they are going to allow a greater height, she said it would be appropriate to mandate that the ground floor be used as commercial space.

Commissioner Maul expressed concern about how this requirement would be enforced. There are numerous examples throughout Puget Sound of commercial space that is built but is never occupied. Mr. Szafran said the thought was that a developer would not built 40,000 square feet of commercial space if it could not be occupied. Vice Chair Craft summarized that 40,000 is a significant amount of space and would provide teeth for the requirement.

**THE MOTION FAILED UNANIMOUSLY.**

Chapter 20.40 – Zoning and Use Provisions

Commissioner Maul expressed his belief that if microhousing makes sense anywhere, it is in the MUR-85' zone, where the City is trying to encourage transit-oriented development. Microhousing is another form of affordable housing. While he can understand why it would not be desirable in a lot of areas in the City, he felt it would be a mistake to prohibit the use near the community college and light rail stations.

**COMMISSIONER MAUL MOVED THAT TABLE 20.40.160 (STATION AREA USES) BE AMENDED TO ADD MICROHOUSING AS A PERMITTED USE IN THE MUR-85 ZONE.**

Commissioner Maul disclosed that has worked on microhousing developments, and is currently working on a project on Aurora Avenue North.

**COMMISSIONER MALEK SECONDED THE MOTION.**

Commissioner Moss asked if the proposal is for microhousing to be a permitted use or a conditional use in the MUR-85' zone. She noted that, as a conditional use, a project would be required to meet specific criteria. Commissioner Maul noted said he is proposing that the use be allowed outright in the MUR-85' zone. He noted that the proposed definition for "microhousing" is quite clear, and requiring additional conditions would be unnecessary. He further noted that there is also a definition for "efficiency units" in the Building Code, which is very close to the proposed definition for "microhousing."

Commissioner Mork said parking is one of the most significant concerns associated with microhousing. Commissioner Maul explained that a number of microhousing projects in Seattle have been constructed with no parking, and parking has spilled out into the residential neighborhoods. However, it is conceivable that someone without a car would be interested in renting a small unit located within walking distance of the light rail station. Microhousing that is not located near mass transit has caused major headaches related to parking, but this would not likely be the case for development in the MUR-85' zone.

Chair Scully said he does not have a strong opinion about microhousing. It is a type of affordable housing. However, if they want to allow it, it must be done right after careful study to avoid problems in the future. He noted that, if determined appropriate, the Development Code could be amended at a later date to allow microhousing in MUR-85.

Vice Chair Craft commented that microhousing may be a useful housing type in the future. However, he would like to address microhousing on a citywide scale rather than making it specific to the 185SSSP.

**THE MOTION FAILED 2-5, WITH COMMISSIONERS MALEK AND MAUL VOTING IN FAVOR AND CHAIR SCULLY, VICE CHAIR CRAFT, AND COMMISSIONERS MONTERO, MALEK AND MORK VOTING IN OPPOSITION.**

**CHAIR SCULLY MOVED THAT TABLE 20.40.160 BE AMENDED BY DELETING THE "i" FROM EACH COLUMN PERTAINING TO "SINGLE-FAMILY ATTACHED." VICE CHAIR CRAFT SECONDED THE MOTION.**

Chair Scully expressed his belief that the five-year phase out provision is a "solution in search of a problem." He does not see how prohibiting new single-family homes is really necessary. The provision simply puts in place an artificial constraint without realistically slowing down the course of development. Secondly, he pointed out that the City does not have sufficient information to rebut public comments regarding the existing water table in the subarea. Some of the properties in the subarea are low-lying and will not be attractive to developers. It is probable they will remain single family for quite a period of time if not indefinitely. While some could eventually become parks, he does not want to place restrictions on property owners that would prevent them from altering their existing homes.

Director Markle pointed out that the "i" in the MUR-35' and MUR-45' columns means that single-family detached dwellings are permitted in the MUR-35' and MUR-45' zones subject to the R-6 development standards in SMC 20.53.

**THE MOTION FAILED UNANIMOUSLY.**

**CHAIR SCULLY MOVED TO AMEND TABLE 20.40.160 BY DELETING THE "i" IN THE MUR-85' COLUMN. THIS WOULD REMOVE THE 5-YEAR PHASE OUT PROVISION AND ADOPT THE R-6 STANDARDS THAT ARE CURRENTLY IN PLACE. VICE CHAIR CRAFT SECONDED THE MOTION.**

Commissioner Mork recalled a previous discussion about the concern that a lot of large, expensive single-family homes could be constructed near the station on properties that are envisioned for multi-family development. Ms. Redinger advised that this has been a significant concern near the Bellevue station. Commissioner Maul noted that the problem in Bellevue was associated with people building large homes on what continued to be single-family lots. This is different from the proposed subarea plan, which would create a high-rise zone near the station.

Commissioner Moss recalled that the Commission previously discussed having a minimum density requirement for the MUR zones. Ms. Redinger pointed out that if the Commission agrees to allow single-family uses consistent with the R-6 standards, the minimum density would be four units per acre.

**THE MOTION PASSED 5-2, WITH COMMISSIONERS MALEK AND MOSS VOTING IN OPPOSITION.**



**VICE CHAIR CRAFT MOVED THAT TABLE 20.40.160 BE MODIFIED BY ADDING "CONVENIENCE STORE" AS A NEW LINE ITEM AND THAT THE USE BE PROHIBITED IN THE MUR-35' AND MUR-45' ZONES BUT ALLOWED IN THE MUR-85' ZONE. CHAIR SCULLY SECONDED THE MOTION.**

Vice Chair Craft recalled that a number of people have raised concern that, with the new potential for commercial zoning, the opportunity for things like convenience stores or other retail stores that sell liquor and tobacco could become a blight on the kind of neighborhood they are trying to create. These uses could attract an element that would detract from the neighborhood. While he is not against convenience store uses, per se, the types of services they provide the community would be unwelcome in the area and would be better served in more commercially zoned areas.

Commissioner Montero reminded the Commission that the goal is to encourage transit-oriented development and discourage cars. Therefore, residents of the area will need a place to purchase milk and other grocery items. Vice Chair Craft said he would not be opposed to allowing small grocery stores in the MUR-35' and MUR-45' zones, but convenience type stores would not work well.

Commissioner Mork questioned how the City could regulate this particular type of use. Vice Chair Craft suggested the Commission rely on staff to come up with a definition to address the Commission's intent. The idea is that the MUR-35' and MUR-45' zones are more residential in nature, with smaller buildings than those allowed in the MUR-85' zone. While convenience stores would be compatible with larger developments that have aesthetic requirements, they would not be appropriate as stand-alone stores with outside parking areas, etc. Mr. Cohen reminded the Commission that development in the MUR zones would be required to meet the commercial design standards. For example, requirements for parking, lighting, etc. may help address concerns related to convenience store uses. Vice Chair Craft did not agree that the commercial design standards would adequately address the concerns.

Commissioner Malek said he is also concerned about allowing the sale of marijuana and pornographic items in the MUR-35' and MUR-45' zones. He asked if it is possible to specifically restrict these uses. Mr. Szafran noted that, as currently proposed, these uses would be specifically prohibited. Commissioner Malek noted that they are prohibited as separate retail stores, but can the City restrict convenience stores from vending these items? Chair Scully said that, as currently written, adult use facilities, smoke shops, marijuana sales, firearm sales, and pawn shops are defined uses that are all prohibited in the MUR zones. It is not possible for a property owner to get around the provision by selling the prohibited products via another type of use.

**THE MOTION FAILED BY A VOTE OF 6-1, WITH VICE CHAIR CRAFT VOTING IN FAVOR..**

Commissioner Maul referenced the letter the Commission received from Kelly Ryder, Housing Development Consortium (HDC), which offered a more detailed matrix of affordable options.

**COMMISSIONER MAUL MOVED THAT THE COMMISSION ADOPT THE AFFORDABILITY LEVELS IDENTIFIED IN THE MATRIX SUBMITTED BY KELLY**

**RYDER FROM THE HOUSING DEVELOPMENT CONSORTIUM INTO THE TABLE IN SMC 20.40.235(B)(1) AS FOLLOWS:**

Zone	Affordability Level
MUR-85'+ with Development Agreement	<ul style="list-style-type: none"> <li>• Studio and one-bedroom units – 20% of the units shall be affordable at 60% AMI or 10% of the units at 50% AMI</li> <li>• Two-bedroom units – 20% of the units shall be affordable at 70% AMI or 10% of the units at 60% AMI</li> </ul>
MUR-85'	<ul style="list-style-type: none"> <li>• Studio and one-bedroom units – 20% of the units shall be affordable at 70% AMI or 10% of the units at 60% AMI</li> <li>• Two-bedroom units – 20% of the units shall be affordable at 80% AMI or 10% of the units at 70% AMI</li> </ul>
MUR-45'	<ul style="list-style-type: none"> <li>• Studio and one-bedroom units – 20% of the units shall be affordable at 70% AMI or 10% of the units at 60% AMI</li> <li>• Two-bedroom units – 20% of the units shall be affordable at 80% AMI or 10% of the units at 70% AMI</li> </ul>
MUR-35'	<ul style="list-style-type: none"> <li>• Studio and one-bedroom units – 20% of the units shall be affordable at 70% AMI or 10% of the units at 60% AMI</li> <li>• Two-bedroom units – 20% of the units shall be affordable at 80% AMI or 10% of the units at 70% AMI</li> </ul>

**COMMISSIONER MOSS SECONDED THE MOTION, WHICH CARRIED UNANIMOUSLY.**

Commissioner Moss referenced SMC 20.40.436 and noted that, as currently proposed, live/work units would only be allowed on arterial streets in the MUR-35' zone. She questioned how live-work units would be different than home-based businesses. Ms. Redinger answered that the current definition for "home-based business" allows 25% of a unit to be used for business purposes, and about 50% of a live/work unit would presumably be used for business purposes. Mr. Szafran added that home-based businesses have more restrictions on who can live in the units, the types of businesses allowed, the number of deliveries allowed, etc.

**VICE CHAIR CRAFT MOVED THAT THE TABLE IN SMC 20.40.235(B)(1) BE AMENDED TO MAKE AFFORDABLE HOUSING VOLUNTARY IN THE MUR-45' ZONE. COMMISSIONER MORK SECONDED THE MOTION.**

Vice Chair Craft expressed concern that the percentage of affordable housing that would be required in the MUR-45 zone could be onerous from a development standpoint. Because there is not enough time for additional research, he felt it would be appropriate to make affordable housing voluntary in the MUR-45' zone. He does not believe that creating a mandatory affordable component in the MUR-45' zone would allow the City to generate the kind of development desired for the zone. The requirement could create problems from a financing standpoint. There are fewer units in these types of development, and the proforma or revenue required for financing is a much narrower margin.

Chair Scully said he supports a mandatory affordable housing requirement for the MUR-45' zone. He was also ready to propose a mandatory requirement in the MUR-35 zone until representatives from the HDC indicated they are still on the fence about whether or not the change would be appropriate. He reminded the Commission that developers would have the option of paying a fee-in-lieu rather than providing affordable units as part of a project. If affordable housing is not mandatory, redevelopment will price out not only low-income households, but middle-income households, as well. He recognized that it is easier to finance high-end development because there is more profit to be made. The only way the City will obtain choices for a diversity of income levels is to mandate it. If that slows down development, so be it.

Commissioner Moss noted that the affordability mandate would only apply to rental units. For-sale condominiums or townhomes would not be held to the mandate. She agreed with Chair Scully that the affordability requirements need to have some teeth. They must ensure that people of all incomes can live in the subarea. Commissioner Montero also agreed that affordable housing should be a mandate in the MUR-45' and MUR-85' zones.

Commissioner Malek asked if Vice Chair Craft believes there are other mechanisms available to help with affordability and that a mandate could ultimately slow down development in the MUR-45 zone. Vice Chair Craft said that is one of his thoughts. They may not get the additional housing because developers will not want to provide the affordable component. He explained that he raised the proposed amendment for discussion purposes. While he agreed the City needs more affordable housing, he is concerned about the limitations a mandatory requirement could create.

**THE MOTION FAILED BY A VOTE OF 6-1, WITH VICE CHAIR CRAFT VOTING IN FAVOR.**

#### Chapter 20.50 – General Development Standards

Chair Scully reminded the Commissioners that the standards contained in this section are consistent with the Commercial Design Standards that were recently adopted.

Commissioner Montero asked if the proposed standards would address the concerns that were raised about cars parking on neighborhood streets because developments are charging their tenants for on-site parking. Director Markle said it has not been determined if the City has the legal ability to tie the parking space to the rent. The issue will be studied in the near future from a citywide standpoint. However, allowing a reduction in the parking requirement is discretionary and the City can attach

specific conditions. Mr. Szafran added that, as per the current code, when a plan comes in, a developer must show parking for the units, but does not have to specifically address cost.

**CHAIR SCULLY MOVED THAT SMC 20.50.140 BE MODIFIED TO ADD A SECTION H REQUIRING THAT ALL MANDATORY PARKING SPACES BE INCLUDED IN EITHER THE PURCHASE PRICE OR THE MONTHLY RENTAL RATE. COMMISSIONER MONTERO SECONDED THE MOTION.**

Chair Scully said he would welcome more input about why this type of requirement would or would not be legal. Commissioner Maul questioned how this requirement would be applied to projects that offer multiple types of parking. Ms. Ainsworth-Taylor acknowledged that she is still researching the issue. What they have learned so far, particularly with affordable units, is that the rent that is available for affordability can only be the physical rent of the room itself. Accessories like parking spaces cannot be included within the rent. For example, if the Polaris development added the cost of parking into the rent, the units would not qualify under the AMI standards. They are also battling the differences in parking and size of units. They live in a capitalistic society that says if you have certain amenities, you can charge for those amenities that other people may not want. Tenants can pick and choose and control the amount of rent they pay for the unit. If you are paying for parking and you don't have a car, you are now paying for something you will not use.

Mr. Cohen suggested that if the Commission supports the additional language proposed by Chair Scully it would be more appropriately located in SMC 20.50.390(E), which talks about parking ratios.

**THE MOTION FAILED UNANIMOUSLY.**

**CHAIR SCULLY MOVED TO AMEND SMC 20.50.390 TO INCLUDE A REQUIREMENT IN THE SECTION STAFF DESIGNATES AS APPROPRIATE TO READ, "ANY PARKING SPACE PROVIDED FOR A UNIT BE TIED TO EITHER THE PURCHASE PRICE OR THE RENT OF THE UNIT. COMMISSIONER MONTERO SECONDED THE MOTION.**

**THE MOTION CARRIED UNANIMOUSLY.**

Commissioner Montero referred to SMC 20.50.021 and recalled the Commission's earlier discussion that transitional standards must be met when development faces an arterial. Mr. Szafran noted that SMC 20.50.240(C)(1)(b) requires that all building and parking structure facades in the MUR-85' zone directly across the street from the MUR-35' and MUR-45' zones be stepped back a minimum of 10 feet for that portion of the structure above 45 feet in height.

**COMMISSIONER MONTERO MOVED THAT SMC 20.50.240(C)(1)(b) BE AMENDED TO READ, "ALL BUILDING AND PARKING STRUCTURE FACADES IN THE MUR-85' ZONE DIRECTLY ACROSS THE STREET FROM THE MUR-35' AND MUR-45' ZONES OR FRONTING ON AN ARTERIAL, SHALL BE STEPPED BACK A MINIMUM OF 10 FEET FOR THAT PORTION OF THE STRUCTURE ABOVE 45 FEET IN HEIGHT." COMMISSIONER MOSS SECONDED THE MOTION, WHICH CARRIED UNANIMOUSLY.**

The Commission had a brief discussion about whether or not “research and development” uses should be allowed within the subarea. Mr. Szafran suggested that these uses are more suited to Aurora Avenue North and other non-residential areas. Ms. Redinger said that, as per the current definition for “research and development,” the use type can be quite industrial, and there is currently no option for “light research and development.” The Commission agreed not to add “research and development” as an allowed use in the MUR zones.

- **185<sup>th</sup> Street Station Subarea Plan (185SSSP)**

Ms. Redinger reminded the Commission that they approved a motion that would include the mitigation related to stormwater incentives into the policy section of the subarea plan. Commissioner Moss also suggested an additional housing policy recommending that the fee-in-lieu schedule include maintenance. The Commission reviewed the subarea plan chapter-by-chapter.

#### Chapter 5 – Long Term Vision for Station Subarea

Commissioner Maul noted that the zoning map on Page 5-17 needs to be updated as per the Commission’s previous action to amend the Preferred Alternative Zoning Map (Exhibit D) to incorporate a three-phased zoning approach. Ms. Redinger agreed that this map would be amended accordingly, as would certain other pertinent sections of the PAO and subarea plan.

**COMMISSIONER MOSS MOVED THAT AN ADDITIONAL HOUSING POLICY BE ADDED ON PAGE 5-35 OF THE SUBAREA PLAN TO READ, “DEVELOP A FEE SCHEDULE IN TITLE 3 TO SET THE FEE-IN-LIEU VALUE TO INCORPORATE ONGOING MAINTENANCE AND OPERATION COSTS.” COMMISSIONER MORK SECONDED THE MOTION, WHICH CARRIED UNANIMOUSLY.**

#### Chapter 7 – Incremental Implementation Strategy

Commissioner Mork said she is concerned about getting the corridor study completed and the engineering manual updated as soon as possible. Ms. Redinger said the corridor study has already been identified in the Transportation Master Plan. However, the Commission could recommend that both the corridor study and the engineering manual update be included in the 2016 budget.

**COMMISSIONER MORK MOVED TO ADD TO THE TRANSPORTATION SYSTEM IMPROVEMENT NEEDS SECTION A SENTENCE THAT READS, “FUND AN UPDATE TO THE ENGINEERING MANUAL AND A TRANSPORTATION CORRIDOR STUDY IN 2016 TO INCLUDE THE ENTIRETY OF 185<sup>TH</sup> STREET, 15<sup>TH</sup> AVENUE NE, AND ALL OTHER IDENTIFIED ROADWAYS THAT COULD BE IMPACTED. VICE CHAIR CRAFT SECONDED THE MOTION.**

Commissioner Montero asked if the Transportation Master Plan (TMP) includes any plans for a corridor study of 185<sup>th</sup> Street. Ms. Redinger said the TMP does identify a study for the corridor. She explained that Perkins Way, 188<sup>th</sup> Avenue NE and other outlying streets were not specifically studied in the City’s EIS because they will be addressed as part of Sound Transit’s EIS process. Impacts related to the light

rail station will include commuters and how they get to the station. The results of the City's EIS was focused specifically on the impacts the station would have on land use, and the zoning changes near the station will not necessarily impact 188<sup>th</sup> Street NE, Perkins Way, etc.

Chair Scully observed that the City does not control the purse strings on Sound Transit's work. The motion on the floor would convey to the City Council that the Planning Commission shares the citizens' concerns and wants the City to study traffic as much as possible. It will be up to the City Council to determine the parameters of the study. While the Commission's recommendation may be more than the City Council is willing to fund, they are sending a message that they care about traffic and believe it is an issue that should be studied further. The City Council can work out the details.

Commissioner Malek asked if the corridor study would preempt the City's ability to require developers to fund traffic studies to identify additional impacts associated with increased density. Ms. Redinger explained that the point of the PAO is that the City has done the modeling and much of the traffic study and identified the mitigations that would be required. Until the City completes the corridor study to identify specific mitigation and tie it to development, developers would be required to pay a traffic impact fee or make improvements based on what the City has already analyzed.

**THE MOTION CARRIED UNANIMOUSLY.**

**THE MAIN MOTION TO RECOMMEND ADOPTION OF ORDINANCE NO. 702 WAS UNANIMOUSLY APPROVED, AS SUBSEQUENTLY AMENDED.**

#### **DIRECTOR'S REPORT**

Director Markle did not have any additional items to report to the Commission.

#### **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**

Commissioner Moss advised that the January 29<sup>th</sup> agenda includes a public hearing for the Aurora Square Community Renewal Area, and the Commission's February 5<sup>th</sup> agenda includes a presentation of and public hearing for the 145<sup>th</sup> Street Station Subarea Plan DEIS.


The Light Rail Subcommittee discussed the process at length and agreed they would like to staff to present the DEIS to the Planning Commission on January 29<sup>th</sup>. This would provide the Commission with ample opportunity to identify issues that need further information prior to the public hearing. The remainder of the Commission concurred.

**ADJOURNMENT**

The meeting was adjourned at 11:10 p.m.



Keith Scully  
Chair, Planning Commission



Lisa Basher  
Clerk, Planning Commission

**TIME STAMP**  
**January 15, 2015**

**CALL TO ORDER:**

**ROLL CALL:**

**APPROVAL OF AGENDA:**

**APPROVAL OF MINUTES:**

**GENERAL PUBLIC COMMENT: 1:45**

**PUBLIC HEARING: 185<sup>TH</sup> STREET LIGHT RAIL STATION SUBAREA PLAN**

**Staff Presentation: 2:35**

**Public Testimony: 26:57**

**Planning Commission Deliberation and Action: 2:05:04**

**DIRECTOR'S REPORT: 4:04:04**

**UNFINISHED BUSINESS**

**NEW BUSINESS**

**REPORTS OF COMMITTEES AND COMMISSIONERS/ANNOUNCEMENTS:**

**AGENDA FOR NEXT MEETING:**

**ADJOURNMENT:**