

# CITY OF SHORELINE

## SHORELINE PLANNING COMMISSION MINUTES OF REGULAR MEETING

February 4, 2016  
7:00 P.M.

Shoreline City Hall  
Council Chamber

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### Commissioners Present

Chair Pro Tem Craft  
Commissioner Maul  
Commissioner Malek  
Commissioner Moss-Thomas

### Staff Present

Rachael Markle, Director, Planning & Community Development  
Steve Szafran, Senior Planner, Planning & Community Development  
Lisa Basher, Planning Commission Clerk

### Commissioners Absent

Commissioner Montero  
Commissioner Mork

### CALL TO ORDER

Chair Pro Tem Craft 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 Pro Tem Craft and Commissioners Maul, Moss-Thomas and Malek. Commissioners Mork and Montero were absent.

### APPROVAL OF AGENDA

The agenda was accepted as presented.

### APPROVAL OF MINUTES

The minutes of January 21, 2016 were adopted as submitted.

### GENERAL PUBLIC COMMENT

**Yoshiko Saheki, Shoreline**, said her comments were in anticipation of the Commission's February 18<sup>th</sup> discussion on the 145<sup>th</sup> Street Station Subarea Plan Wetlands Assessment, which was completed by the

consultant, OTAK. Specifically, she wanted to address Twin Ponds Park, which contains wetlands. In addition to providing recreational opportunities via a soccer field, playground and community garden, the park makes significant contributions to the environment. Thornton Creek flows through the Twin Ponds on its way under the freeway to reach Jackson Park on the Seattle side. According to the City's 2009 Thornton Creek Watershed Plan, the two ponds are each about 2 acres in size, and runoff from 1,300 acres of land drains into one or both ponds. This is more than 2 square miles, compared to the entire City of Shoreline, which is 11.67 square miles. Wetlands in the park also contribute to nature's filtering system. As the Commission considers rezoning the subarea to create more density, she asked them to keep in mind that open space, trees, waterways and wetlands serve more than their surrounding neighborhoods. They are important parts of a larger ecosystem that does not abide by manmade boundaries. She asked them to remember the important roles these waterways serve in the greater Puget Sound region.

## **STUDY ITEM: SOUND TRANSIT AMENDMENTS PACKAGE NUMBER 3, PART 2**

### **Staff Presentation**

Director Markle recalled that, last year, the Commission recommended standards specific for light rail transit systems/facilities, but Sound Transit asked the City to delay the second set of amendments to allow additional time for review. Sound Transit has since provided its review comments to staff in two separate letters: one in November and another on January 26<sup>th</sup>. Staff has reviewed both letters and made some changes to the proposed amendments based on the comments. She walked the Commission through each of the proposed amendments to the Shoreline Municipal Code (SMC) as follows:

- **SMC 20.20.016 D – Definitions.** The Commission previously recommended the City Council change the process for allowing a special use, such as a light rail transit facility/system, from a Development Agreement to a Special Use Permit (SUP). The definition for Development Agreement currently refers to using the process to approve Essential Public Facilities, and staff is recommending the definition be amended by removing the reference to Essential Public Facilities.
- **SMC 20.20.034 M – Definitions.** A new definition was added for Multi Modal Access Improvements (MMAIs) to be consistent with the City's recently adopted Level of Service (LOS) Standards. As currently proposed, MMAIs would be defined as "off-site improvements that improve travel options to make safe connections to public amenities or facilities such as schools, high-capacity transit facilities, bus stops, and commercial uses. MMAIs include, but are not limited to, offsite sidewalks, bicycle infrastructure, traffic calming and amenity zones." The proposed definition is intended to help the City articulate what types of offsite improvements correlate with multi-modal access and set the stage for requiring offsite improvements when warranted. While most of the proposed amendments would be specific to light rail, this one would also be applied to other large development projects citywide.
- **SMC 20.30.330 Special Use Permit (SUP).** Previously, the Commission recommended using the SUP process as the means for approving light rail transit systems/facilities as an allowed use. They further recommended using the standard SUP decision criteria that is applicable citywide. In addition to the standard criteria, staff is proposing criteria specific to light rail transit

systems/facilities. The proposed criterion in SMC 20.30.330(C)(1) was borrowed from the Development Agreement criteria and calls for light rail transit system/facilities to use energy efficient and sustainable site design. The proposed criterion in SMC 20.30.330(C)(2) was also borrowed from the Development Agreement criteria and provides assurance that the development of light rail transit facilities/systems would be served by sufficient motorized and non-motorized capacity and infrastructure. Both of these criteria have been used in master plan development, and staff finds them appropriate for large sites and campuses.

A new criterion in SMC 20.30.330(C)(3) is intended to ensure that the design of the light rail facilities reflects the City's Guiding Principles for Design. The City recently conducted a public open house to solicit feedback on the draft Guiding Principles for Design, and staff felt it would be important to tie approval of the use, itself, to the guiding principles. This would give the City an added ability to ensure that the important elements contained in the guiding principles is reflected in the design and engineering for the light rail systems/facilities.

- **SMC 20.40.438(E) – Supplemental Submittal Items.** This section was added to require more specific submittal requirements in relation to the permitting of light rail system/facilities. The required plans (Construction Management Plan, Parking Management Plan, Multi Modal Access Plan, Neighborhood Traffic Plan, and Transportation Impact Analysis) are typical for larger development projects in Shoreline, and the amendment seeks to streamline the requirements by listing them and providing details all in one place. A Construction Management Plan works out details such as staging areas, haul routes, hours of construction, noise reduction practices, daily clean up, parking for construction crews, etc. A Parking Management Plan examines such issues as overflow parking, signage and parking enforcement. A Multi Modal Access Plan would address onsite and offsite needs for sidewalks, bike facilities, and traffic calming based on the impacts attributed to the proposed development. A Neighborhood Traffic Plan looks at traffic speeds and volumes with residents in an effort to anticipate issues and solutions, and the typical outcome is the identification of traffic calming measures for various locations if the need arises following the opening of the service. A Transportation Impact Analysis (TIA) is already required as per SMC 20.60.140. Placing the requirement in the index criteria is intended to centralize the list and provide a more streamlined approach.
- **SMC 20.40.438(F) – Project and Permitting Process.** Based on conversations with Sound Transit and other jurisdictions that have permitted or are in the process of permitting light rail systems/facilities, there is a desire to have permitting go as fast and efficiently as possible. This proposed amendment sets the stage for the City to offer an accelerated process should one be desired. A tremendous amount of staff time will be required to process the hundreds of permits that will be required, and the process needs to be sorted out. If Sound Transit desires an accelerated process, they should identify such in their project submittal or sooner.
- **SMC 20.50.240(F)(6)(g) – Utilities for Public Places.** This amendment adds a provision that water and power must be available at high-capacity centers, stations and associated parking areas. The intent is to bring utilities to the public space to support other uses, such as outdoor vendors, in the future.

Director Markle advised Part 3 of Amendment Package 3 will be presented to the Commission on February 18<sup>th</sup> and will include:

- Standards for tree protection and replacement, which will address off-project-site tree impacts and tree removal. A previous recommendation from the Commission laid out that Sound Transit would be subject to the City's existing tree standards, and any adjustments would need to be addressed as part of a Special Use Permit.
- Standards for public safety, noise and vibration to protect private property adjacent to the light rail systems/facilities. Staff will be exploring this issue with the Light Rail Subcommittee, and amendments may be forthcoming.

### **Public Comments**

**Janet Way, Shoreline**, said she was present to represent the Shoreline Preservation Society. She requested clarification about how the proposed language in SMC 20.30.330(C)(2) would be applied. The City has been talking for over a year about the need to have sufficient capacity and infrastructure in place to meet LOS Standards, but she is still unclear about how this will be done and when. She voiced concern that it will be a nightmare for residents living nearby to survive not only the construction, but also the conglomeration of traffic and other impacts to the area. There must be functional infrastructure in place before the station opens. Ms. Way also referred to SMC 20.40.438(F), which would allow the City to offer Sound Transit an accelerated permit process. She voiced concern about how an accelerated permit process would impact City staff. She noted that trees were left out of the list of amenities in public places in SMC 20.50.240(F), and the proposed designs displayed at the public open house did not show any trees. She suggested that planters and trees should be included as part of the design, particularly since hundreds of trees will be removed to accommodate the study. She also questioned why Sound Transit should get a break on the tree replacement requirement. They should be required to plant trees nearby to offset the impact. Citizens of the City love trees, which are part of the City's logo.

**Yoshiko Saheki, Shoreline**, referred to Director Markle's earlier statement that amendments related to standards for public safety, noise and vibration to protect private property adjacent to the stations will come before the Commission at a later date. She would like the City to use another word besides "adjacent." She said she is specifically concerned about noise from the light rail system on the west side of the freeway, which does not fulfill the definition of "adjacent." She advised that she reached out to Sound Transit and learned that, as part of the Environmental Impact Statement (EIS), there is a 106-page technical report on noise and vibration, which includes maps of areas needing mitigation and maps of the future noise walls. However, all of the maps pertain to the east side of Interstate 5. She noted that the Washington State Department of Transportation (WSDOT) has constructed sound walls on the east side of Interstate 5 near the station area, but not on the west side. While not a scientific observation, those living on the west side believe the freeway noise increased after the sound walls were placed on the east side only. Therefore, she asked that the development codes that address noise be applicable to all areas that are affected by the light rail system, and not just those areas that sit adjacent to light rail.

Ms. Saheki asked if it would be possible for the new on ramp to northbound Interstate 5 to be constructed before the construction of the light rail station. If they have to wait for the construction of

the new on ramp until after construction of the light rail station, they will lose access to the on ramp for many years. This would have a negative impact on a lot people.

### **Commission Discussion**

Commissioner Moss-Thomas reminded the Commissioners that the City does not have an established LOS Standard for transit. While she recognized that the City does not have as much control over transit, it should be addressed in the Transportation Master Plan and as part of the light rail station regulations, as well. Director Markle explained that transit can be addressed via the Transportation Impact Analysis, and the City's Traffic Engineer has incorporated some specific measures into the guidelines to accomplish this. More detailed information will be forwarded to the Commissioners via plancom.

Chair Pro Tem Craft said his understanding of SMC 20.30.330(C)(2) is that the infrastructure would be sufficiently developed prior to plans being submitted or that, during that process, some form of infrastructure would be developed to meet whatever capacity is required at the time of use. He summarized that, in any event, the infrastructure would be sufficient to address concerns.

Chair Pro Tem Craft said it is also his understanding of SMC 20.40.438(F) that Sound Transit can request that the City allow an accelerated permit process, and it would come down to whether or not City staff could accommodate the request. If not, the City's standard process would apply. He summarized that, although the proposed amendment would allow the permits to be bundled to accelerate the process, no steps in the review process would be truncated or removed. Director Markle said that is correct. Staff has talked with other jurisdictions and Sound Transit about the concept of "over the shoulder review," which allows staff to meet weekly or biweekly with the designers to point out potential discrepancies with the code as the very large plans move forward. This type of review requires a lot of staff time before a permit is even submitted, so Sound Transit would need to let the City know early if that is their intent so that staffing needs and costs can be identified. The standard process has a lot of unknowns because the codes are based on an initial fee for a permit, and if it takes longer than the set amount of hours, applicants pay hourly. A lot of hours will be involved in the light rail permit processes, and Sound Transit won't have information about the total costs if they choose to utilize the standard method. An accelerated process offers advantages for both the applicant and the City. It allows the City to plan so their current services are not impacted by the huge volume of permits that are anticipated.

Chair Pro Tem Craft observed that the accelerated process will be a type of pre-review prior to permit submittal. Director Markle said it would be an ongoing plans examination. Instead of getting one large comment letter about what needs to be corrected, the applicant would find out about what corrections are needed every two weeks. She emphasized, however, that nothing would be pre-approved until the official permitting process. Chair Pro Tem Craft asked if Sound Transit is asking the City to identify a lump sum value of the time required for the permitting process. Is the intent that Sound Transit would negotiate the permit costs with the City? As an example, Director Markle referred to a staff agreement the City of Redmond has with Sound Transit, which outlines the required permits, as well as the staff positions and estimated hours needed to review the permits. The agreement allows the City and Sound Transit to identify a lump sum or installment payments to cover the anticipated costs. A similar process could be used if Sound Transit requests an accelerated process with the City of Shoreline. However,

Sound Transit has not made this request yet. Chair Pro Tem Craft asked if Redmond's agreement with Sound Transit appears to be successful. Director Markle said there are some advantages, but she recognized that Redmond's project is different than Shoreline's in some respects because of jurisdictional issues. Regardless of the method used for permitting, there will be significant staffing impacts and the City needs to be prepared when the time comes in mid-2016.

Chair Pro Tem Craft recalled that the Commission has spent a lot of time talking about either replacement or mitigation for trees. He asked staff to identify some of the options for tree replacement and explain how the open spaces will be impacted. Director Markle said the project review will start with the premise that the tree code is applicable, but recognizing that the City cannot preclude an essential public facility. If Sound Transit cannot meet the City's tree code, they would need to, through the SUP process, explain why they cannot meet the code and still operate the light rail facility. They would also have to propose mitigation that the City finds acceptable. For example, if all of the trees cannot be replaced on site, they could be planted in offsite locations. It is her understanding that Sound Transit has identified some impacts in its Draft Environmental Impact Statement (DEIS), but a tree plan has not yet been done. Mr. Szafran clarified that Sound Transit has a conceptual plan that identifies the trees that will be removed, but there is not yet a plan for mitigation. Chair Pro Tem Craft asked if a mitigation plan would be required as part of the permit process. Mr. Szafran answered that many of the trees are located in WSDOT right-of-way, and staff believes the City's code would apply. However, he agreed to seek more information and report back to the Commission. Director Markle referred to Ms. Way's comment about the need for trees near the stations and garages, and explained that the City's tree retention rate for sites would still apply.

Commissioner Moss-Thomas suggested that it would add clarity when talking about standards for public safety, noise, and vibration if the language were changed to reference "light rail systems facilities and the corridors." While she understands that the corridor is part of the system, it should be made very clear in the proposed codes.

Commissioner Moss-Thomas referred to Ms. Saheki's earlier comment that the freeway barriers that were placed on the east side of the highway ended up increasing the noise on the west side. She asked staff to provide information about how that concern might be addressed. Director Markle explained that noise is a science, and the City does not have in-house expertise. However, the policy team has discussed the issue and is looking into getting some assistance on noise to answer questions related to the types of standards that should be adopted, if any. Sound Transit completed a noise and vibration study, but staff is not qualified to review the study in house. She expects they may be able to bring back additional information in the future.

Commissioner Moss-Thomas asked if 145<sup>th</sup> Street is considered a Highway of Statewide Significance. Director Markle said her belief is that at least a portion of 145<sup>th</sup> Street is considered a Highway of Statewide Significance. She agreed to provide clarifying information at the next meeting.

Commissioner Moss-Thomas recalled a conversation the Commission had pertaining to the Community Renewal Area and LOS at intersections abutting Aurora Avenue North. It was discussed that Highways of Statewide Significance are not bound by the City's LOS determination. She suggested that the TIA for the 145<sup>th</sup> Street Station should address LOS at the intersections along 145<sup>th</sup> Street. Mr. Szafran said

representative from the Public Works Department will provide an update to the Commission on the 145<sup>th</sup> Street Corridor Study in March. The update will include information about LOS, traffic volume, etc.

### **DIRECTOR'S REPORT**

Director Markle thanked the Commissioners who attended the open house on the Guiding Principles for Design. Over 100 people attended the event, which was very productive.

### **UNFINISHED BUSINESS**

There was no unfinished business.

### **NEW BUSINESS**

#### **Election of Interim Vice Chair**

Chair Pro Tem Craft reviewed that the Commission typically elects a new Chair and Vice Chair in April. However, with the resignation of Chair Scully, Commissioner Craft was made Chair Pro Tem, and the Commission needs to elect an interim Vice Chair for the remaining meetings through March.

**COMMISSIONER MAUL NOMINATED COMMISSIONER MOSS-THOMAS TO SERVE AS THE INTERIM VICE CHAIR OF THE COMMISSION. COMMISSIONER CRAFT SECONDED THE NOMINATION, WHICH WAS UNANIMOUSLY APPROVED.**

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

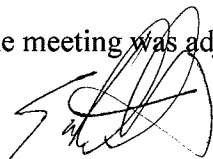
Chair Pro Tem Craft asked if there was any new information that could be presented at a future Commission meeting relative to the Point Wells development. Commissioner Malek agreed to share follow-up notes from the Point Wells Subcommittee's discussions. He suggested City staff could also provide an update.

### **AGENDA FOR NEXT MEETING**

Mr. Szafran advised that the February 18<sup>th</sup> agenda would include a staff/consultant presentation of the wetland study for the 145<sup>th</sup> Street Station Subarea Plan area. Staff would also present the Living Building Ordinance and the docket for the 2016 Comprehensive Plan amendments.

### **ADJOURNMENT**

The meeting was adjourned at 7:53 p.m.

  
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Easton Craft  
Chair Pro Tem, Planning Commission

  
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Lisa Basher  
Clerk, Planning Commission

