

**DRAFT**

## **CITY OF SHORELINE**

### **SHORELINE PLANNING COMMISSION MINUTES OF REGULAR MEETING**

July 21, 2016  
7:00 P.M.

Shoreline City Hall  
Council Chamber

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#### **Commissioners Present**

Vice Chair Montero  
Commissioner Chang  
Commissioner Malek  
Commissioner Mork  
Commissioner Moss-Thomas

#### **Staff Present**

Rachael Markle, Director, Planning & Community Development  
Paul Cohen, Planning Manager, Planning & Community Development  
Steve Szafran, Senior Planner, Planning & Community Development  
Miranda Redinger, Senior Planner, Planning & Community Development  
Lisa Basher, Planning Commission Clerk

#### **Commissioners Absent**

Chair Craft  
Commissioner Maul

#### **CALL TO ORDER**

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

#### **APPROVAL OF AGENDA**

The agenda was accepted as presented.

#### **APPROVAL OF MINUTES**

The minutes of July 7, 2016 were adopted as presented.

#### **GENERAL PUBLIC COMMENT**

There were no general public comments.

## **STUDY ITEM: 145<sup>TH</sup> STREET STATION SUBAREA PLAN AND POTENTIAL ZONING SCENARIOS**

### **Staff Presentation**

Ms. Redinger briefly reviewed the timeline for the 145<sup>th</sup> Street Station Subarea Plan, which is currently in the adoption phase. She explained that the intent of the July 21<sup>st</sup> and August 4<sup>th</sup> study sessions is to introduce the following ordinances in preparation for a public hearing on August 18<sup>th</sup>:

- Ordinance No. 750 adopts the 145<sup>th</sup> Street Station Subarea Plan and amends the Comprehensive Plan and Land Use Map.
- Ordinance No. 751 amends the Unified Development Code, Shoreline Municipal Code (SMC) Title 20, and the Official Zoning Map to implement the 145<sup>th</sup> Street Station Subarea Plan.
- Ordinance No. 752 is the Planned Action Ordinance for the 145<sup>th</sup> Street Station Subarea pursuant to the State Environmental Policy Act (SEPA).

Ms. Redinger reminded the Commission that the Growth Management Act (GMA) requires the City to plan extensively in keeping with various state goals. The content of the subarea plan includes information from the participation plan and design workshop subarea reports, the market assessment, and the Final Environmental Impact Statement (FEIS). The only new information that is not contained in the subarea plan documents are the policies, which will be discussed later in the meeting.

Ms. Redinger advised that the subarea plan is organized into the following seven chapters:

- The Introduction Section contains background information and talks about the Subarea Plan's organization, planning context, purpose and need for the Subarea Plan, planning and adoption process for the Subarea Plan and Planned Action Ordinance, and supporting plans and policies.
- The Community and Stakeholder Engagement Section provides an overview of the Stakeholder Involvement Plan, goals for community engagement, key messages, participants in the process, involvement methods and activities, and outcomes that shaped the Subarea Plan.
- The Existing Conditions and Population Forecasts Section contains information from the FEIS, which was synthesized from various chapters. It includes geography, planned Sound Transit facilities, land-use patterns, neighborhoods, special districts, transportation conditions, existing population and trends, projected population growth rate, and existing and planned housing.
- The Market Outlook Section outlines key findings of the market assessment, as well as the background market and demographic analysis, development and product types, potential impact of transit and transit-oriented development on property values and property taxes, and a conclusion.
- The Long-Term Vision Section includes more information about the visioning process, vision statement, proposed zoning for the subarea, potential phased zoning, forecasted population, redevelopment opportunities and possibilities, framework concept plans, conceptual illustrations, policies, and proposed updates to the Development Code provisions. Most of the Development Code revisions were adopted with the 185<sup>th</sup> Street Station Subarea Plan, and staff will address potential amendments based on the zoning designations. However, any policies that are changed

for the 145<sup>th</sup> Street Station Subarea Plan will also apply to the zones that are in the 185<sup>th</sup> Street Station Subarea Plan. Conceptual illustrations were provided to illustrate what the MUR-35', MUR-45' and MUR-70' zones might look like when redeveloped.

- The Sustainability and Livability Benefits Section outlines the benefits of the Subarea Plan and supporting adopted Federal, State, regional and local plans and policies. It also outlines the environmental benefits of integrated land use and transportation, including enhanced neighborhood character, upgraded infrastructure, economic benefits, community health and livability and the triple bottom line. Benefits discussed throughout the process include reducing greenhouse gas emissions on a grander scale and traffic congestion on a regional scale. In the community the intent is to encourage affordable housing and promote employment, as well as improve access and connectivity within neighborhoods, enhance complete streets and walkability and encourage third places and opportunities for more businesses.
- The Incremental Implementation Strategy Section includes more discussion of the 2035 Planning Horizon; anticipated growth and change over the next 20 years; near term actions; coordination and outreach; potential partnerships; recommended capital improvement projects; transportation and utility systems improvement needs; parks, recreation and open space needs; and schools and other public services.

Ms. Redinger explained that the Subarea Plan is significant, as it amends the Comprehensive Plan Land Use Map and policies. If the Commission would like to modify the zoning alternative or policy language, revisions should be published prior to the August 18<sup>th</sup> public hearing. She reviewed that the FEIS reviewed seven different zoning scenarios: No action, Connecting Corridor, Compact Community, Compact Community Hybrid and phased versions of the three action alternatives. The City Council did not select a preferred alternative. Therefore, the Draft Subarea Plan is based on the Planning Commission's last recommendation, which is the Compact Community Hybrid Alternative. She emphasized that the documents presented to the Planning Commission should be considered draft documents until they are formally adopted by the City Council. If the Commission recommends and/or the City Council adopts a different map, then the other documents would be amended accordingly.

Ms. Redinger displayed a map of the Compact Community Hybrid Alternative, as well as the draft Comprehensive Plan Future Land Use Map. She explained that, typically, a Comprehensive Plan designation denotes a range of potentially appropriate zoning designations; but in the case of this Subarea Plan, each Comprehensive Plan designation is tied directly to a potential zoning designation. Station Area 1 (SA-1) is only appropriate for MUR-70' zoning, SA-2 for MUR-45' zoning, and SA-3 for MUR-35' zoning. This approach makes it more difficult for someone to later request an upzone from MUR-35' to MUR-45' zoning, since it would require amendments to the zoning and the Comprehensive Plan. The intent was to provide more predictability going forward. If the base zoning map that the Subarea Plan is based on were to change, then the Comprehensive Plan Map would have to be amended before adoption, as well.

Ms. Redinger explained that whether or not the City Council adopts phased zoning would not impact the Comprehensive Plan map. If the Council were to adopt a phased version of the Compact Community Hybrid Alternative, the Planned Action Ordinance and the mitigations tied to it would apply for the next 20 years. Because the phasing in the draft scenario would be defined as 1<sup>st</sup> phase starting in 2016 and Phase 2 in 2033 (10 years after the light rail facility is operational), the situation would be parallel to the

185<sup>th</sup> Street Station Subarea Plan. With the 185<sup>th</sup> Street Station Subarea Plan, the Phase 1 and 2 boundaries would be in affect prior to 2033 and Phase 3 would start in 2033. The Planned Action boundary was based on Phases 1 and 2. If 145<sup>th</sup> Street Station Subarea Plan were to be phased, there would be a 20-year gap between Phase 1 and Phase 2, which aligns with the FEIS analysis of phasing. It would also align with the Planned Action Boundary that would be drawn around the Phase 1 boundary line.

Ms. Redinger reviewed that the Commission will discuss the Planned Action Ordinance and other ordinances related to the Subarea Plan on August 4<sup>th</sup> in preparation for a public hearing on August 18<sup>th</sup>, with the potential outcome of a recommendation to the City Council. City Council study sessions have been scheduled for September 12<sup>th</sup> and 26<sup>th</sup>, and it is possible they will be ready to adopt Ordinances 750, 751 and 752 on September 26<sup>th</sup>, but the discussion may continue into October.

### **Public Comment**

**Yoshiko Saheki, Shoreline**, reviewed that, as originally proposed, existing detached, single family homes in the MUR-35' would be allowed, but those in the MUR-45' zone would become nonconforming. The Commission later recommended that detached, single-family homes be allowed in the MUR-45' zone, as well. She asked for clarification about whether this change would make the existing single-family homes in the MUR-45' zone conforming or nonconforming. Mr. Szafran advised that Ms. Saheki's question would be addressed as part of the next study item.

### **Commission Discussion**

Commissioner Mork recalled that, at their last meeting, the Commission had a discussion about livable communities, and a question was raised about a potential definition for the term so that there could be common understanding about what a livable community is. She suggested that the Commission consider the following:” *A livable city is one where walking, biking and transit are the best choices for most trips. Public spaces are beautiful, well-designed, and maintained, and the City is safer, healthier and more accessible. Make walking and bicycling safer, transit faster, and public life more pleasant.*” Ms. Redinger suggested that the language could be used as a great vision statement as it appears to address the overarching policies and intentions of the Subarea Plan.

Commissioner Mork referred to the draft Compact Community Hybrid Map and questioned if having MUR-45' zoning on 15<sup>th</sup> Avenue NE adjacent to R-6 zoning is too big of a difference. Also on 15<sup>th</sup> Avenue NE, there are areas where MUR-70' zoning is immediately adjacent to R-6 zoning. The first situation could be easily solved by cutting the block in half and having MUR-45' zoning against 15<sup>th</sup> Avenue NE and MUR-35' zoning a half a block back. The solution for the second situation is not as easily resolved without increasing the boundary or reducing the MUR-70' zone, which is a previous designation.

Commissioner Moss-Thomas recalled that the intersection of N 145<sup>th</sup> Street and 15<sup>th</sup> Avenue NE has been projected to be denser for many years. She asked if Commissioner Mork's concern was related to the single-family zoning to the west as well as to the east of the intersection where MUR-70' zoning is proposed. Commissioner Mork said her concerns apply to the properties to the east and west where R-6

zoning is immediately adjacent to MUR-70' zoning. Ms. Redinger said some of the single-family zoning is currently transitional zoning, but the new proposal is to change it back to R-6. She agreed that there is a potential conflict. If the Commission agrees, they could recommend a change to City Council.

Commissioner Malek pointed out that the R-6 zoning to the west of the MUR-70' zone, which is adjacent to Paramount Park and the Open Space, was deliberate in an effort to eventually make it all open space to connect to the parks. Reclaiming these properties for commercial uses could drive the price up for the City to purchase the lands at some point in the future. Commissioner Moss-Thomas also recalled that surface area coverage was also a big factor in the decision to maintain the R-6 zoning designation on the west side.

Ms. Redinger emphasized that the Subarea Plan boundary cannot be expanded eastward because it was not studied as part of the FEIS. The Commission's only option to create a better transition for the properties east of the MUR-70 zone would be to change some of the MUR-70' zone to MUR-45' to create a transition area. Commissioner Moss-Thomas noted that the properties are already developed as non-residential uses. Ms. Redinger said that commercial would be allowed in the MUR zones along the arterials. Staff could research the current development to determine if it would be compatible with MUR-45 zoning.

Commissioner Mork asked if any property owners in the area have expressed a concern about MUR-70 being directly adjacent to single-family zoning. Ms. Redinger said she has not personally heard this concern expressed. Commissioner Malek asked if the area could eventually become part of a different study area associated with the Fircrest Campus. Ms. Redinger said it is possible, but not likely, because this particular area was also part of the Southeast Neighborhood Subarea Plan and the 145<sup>th</sup> Street Subarea Plan. Once zoning has been decided through the Subarea Plan, the properties should be left alone until there is a clear need for change.

Regarding the properties further north on 15<sup>th</sup> Avenue NE, which are adjacent to MUR-45' zoning, Commissioner Moss-Thomas voiced concern that if they split the zoning between the east and west, it would be very difficult for properties to aggregate to accommodate the MUR-45' zoning. She noted there is a natural terrain change in this location, and the area is very active and existing development is already consistent with the types of uses allowed in the MUR-45' zone. When she lived in the vicinity, she noticed that the area between 15<sup>th</sup> Avenue NE and 17<sup>th</sup> Avenue NE is a moving transition area with a number of apartments and rental homes, as well as some single-family homes. Past 17<sup>th</sup> Avenue NE there is more of a residential feel. 15<sup>th</sup> Avenue NE is a busy street, and MUR-45 zoning might actually create a sound barrier for property owners to the east. If the Commission is concerned about having MUR-45 zoning adjacent to R-6 zoning, perhaps there are things they could consider as potential mitigation. Mr. Szafran said there are currently no transition standards to address situations where MUR-45' abuts R-6 zoning. However, the setback standards also include landscaping standards that provide a buffer. Chair Pro Tem Montero pointed out that most of the block adjacent to the MUR-45' zoning is developed as the Northwest Church.

Commissioner Mork cautioned that it is not the intent of the Subarea Plan to create exclusive neighborhoods that have expensive single-family homes. She voiced concern that, by making the area around the parks R-6, the existing houses will eventually be replaced with large homes that are 35 feet

tall and cover 50% of the lot. These homes will be well beyond the price point of most people in the City. As an equity issue, she suggested that this area be zoned MUR-35' instead. She recalled that Commissioner Malek previously commented that, from a real estate perspective, the cost between an R-6 and MUR-35' would not have a significant impact on the cost of purchasing the lot. All Commissioners want larger parks, and critical areas would automatically be zoned R-6.

Commissioner Moss-Thomas pointed out that the residential areas surrounding the park could be changed to MUR-35' zoning because the option was studied as part of other alternatives. She said she supports greater density, but she felt that zoning the area between Paramount Park and Paramount Open Space as MUR-35' could be problematic. She understands how Commissioner Mork's concern could play out on the properties to the northeast, but she questioned whether it would be a bad thing. Commissioner Mork clarified that she is not opposed to more intense development, but if the properties are all zoned R-6, future development will be limited to detached, single-family homes. Zoning the properties as MUR-35' would allow for other options and it would not place any limitations on the City's ability to purchase the properties as parkland. Commissioner Malek voiced his opinion that the properties would have a higher value if zoned MUR-35'. Although downgrading the property to R-6 for the purpose of purchasing the property would not be a fair approach, the property is already zoned R-6.

Commissioner Chang recalled that the properties were originally shown on the map as MUR-35' and the Commission requested that they be changed to R-6 based on the location of the wetlands and buffers as identified on the Critical Areas Map. An amendment has been proposed that requires a property to revert to the R-6 standards if it has a critical area that necessitates the use of a Critical Areas Reasonable Use Permit (CARUP). She suggested that it would be false to zone the properties as MUR-35' when it is likely that they could not be developed as such. Commissioner Mork asked if it would be reasonable to assume that people who currently live there or purchase property in the future would have a clear understanding of where the critical areas are located and would not be duped by a zoning designation of MUR-35' when the R-6 zoning standards would apply. Commissioner Malek commented that information related to critical areas is readily available to brokers and buyers via the tax records, flood zone maps, etc. Ms. Redinger clarified that, currently, there is no code provision that would require a property to abide by R-6 standards if it contains a critical area. That provision is part of the code amendments that are being considered in conjunction with the Subarea Plan. Commissioner Chang cautioned that there could be different answers based on how much of the lot is actually covered by a critical area.

Commissioner Moss-Thomas recalled that, during the walking tour of 12<sup>th</sup> Avenue NE, there was a lot of discussion about how much flooding occurred in the winter when there were heavy rains. This discussion may have had some bearing on the currently proposed R-6 zoning. The ground slopes down more from 12<sup>th</sup> Avenue NE to the Paramount Open Space. Commissioner Mork agreed that many of the properties have critical areas and would be subject to the R-6 standards. However, MUR-35' zoning may be appropriate for those that do not have critical areas.

Ms. Redinger invited Director Markle to provide clarification about how the critical areas negotiation process works to determine how much of a property is encumbered. Director Markle explained that if the entire property is encumbered by a critical area or critical area buffer, the buildable area is determined through a legal course (hearing examiner), and the decision is often appealed if it is not the

answer a property owner is seeking. There is no set standard for determining what footprint it best, but the City typically relies on the critical area reports that are submitted by qualified professionals.

Commissioner Chang said she understands that development that occurs outside of a critical area would be considered code compliant, but she questioned whether a development proposal that encroaches into a portion of a critical area would be reviewed based on the MUR-35' or R-6 standards. She also asked if 50% lot coverage would be allowed on a property that is zoned R-6 but is mostly encumbered with a critical area or buffer. Director Markle answered that that CARUP exception process does automatically allow a property owner the maximum 50% lot coverage. Typically, the percentage would be reduced based on the size of the lot and the critical area. An MUR-35' zoned property would likely be allowed to develop as such as long as all of the development occurs outside of the critical area and/or buffer. If the development encroaches into the critical area and/or buffer, then the R-6 standards would likely apply. The point of the amendment is that if you are trying to develop in the critical area or its buffer, the City is looking for you to do the least amount of development possible.

Commissioner Moss-Thomas asked if a CARUP would be required if the proposed development would not encroach into the critical area or its buffer. Director Markle answered that as long as development stays outside of the wetland or its buffer, no CARUP would be required and the property could be developed as MUR-35'. Commissioner Moss-Thomas asked if lot coverage would be based on the entire lot or just the portion of the lot that is not encumbered by critical area or buffer. Director Markle explained that the typical lot size in the area is between 7,200 and 10,000 square feet. If the property is zoned MUR-35', the property owner would be allowed to develop the portion of property that is not encumbered based on the MUR-35' standards and without a CARUP. It would be very difficult to develop the remaining portion of the property within the critical area since the R-6 standards would apply and a minimum lot size of 7,200 would be required. She acknowledged that staff has not thought through all of the possibilities. Ms. Redinger clarified that there is a difference between when the Critical Area Regulations apply and the CARUP process. If someone wants to develop a lot that has a critical area, a geotech report would be required to delineate the boundary. If they aren't happy with what they are allowed to do based on the restrictions of the Critical Areas Regulations, developers can go through the CARUP process, which is a public process. Director Markle added that the only need for a CARUP is when the regulations preclude all reasonable development.

Commissioner Mork said she would be interested in converting all of the R-6 zoning around the parks back to MUR-35 as it is on the Compact Community Map. However, she suggested it would be helpful for staff to provide an overlay of the critical areas so the Commissioners have a clear understanding of which properties would be subject to the R-6 standards even if they are zoned MUR-35'. The remainder of the Commission concurred. Ms. Redinger agreed it would be simple to overlay the Critical Areas Map onto the zoning map.

Commissioner Mork referred to the draft policies, which clearly reflect the Commission's conversations. She commended staff for their work. She particularly appreciates the additional policy language pertaining to bicycle lanes. None of the Commissioners proposed changes to the policies as drafted.

## **STUDY ITEM: DEVELOPMENT REGULATIONS RELATED TO LIGHT RAIL STATION SUBAREAS**

### **Staff Presentation**

Mr. Szafran said the purpose of this study item is to discuss the development regulations related to both the 185<sup>th</sup> and 145<sup>th</sup> Station Subarea Plans. He briefly reviewed the amendments the Commission has already discussed, and presented three new amendments. The intent is to present the amendments, accept public testimony and gather feedback from the Commission. The ultimate goal is to develop a list of amendments to bring back with the Subarea Plan and Planned Action Ordinance for a public hearing on August 18<sup>th</sup>. He reviewed each of the amendments as follows:

- **Amendment 1 – Critical Areas Reasonable Use Permit (SMC 20.30.336).** This amendment would apply R-6 standards if property that is zoned MUR requires a CARUP. The Critical Area Layer Map is relied upon when an applicant comes in with a development proposal. It identifies both stream and wetland buffers, as well as steep slopes. Additional work would be required if development encroaches into any critical area and/or buffer and the R-6 development standards would apply. The map shows parcel lines and could be overlaid onto the zoning maps. He agreed to provide the overlay to the Commissioners as soon as possible so they have a clear understanding of which parcels are encumbered by critical areas.

Commissioner Moss-Thomas asked if the proposed amendment would apply differently to buffer areas versus actual critical areas. Mr. Szafran answered no. If that is the case, Commissioner Moss-Thomas commented that there is no need for the overlay to distinguish between steep slopes, streams, wetlands and buffers. The Commission simply needs to understand which properties and how much of the properties are impacted by critical areas and/or buffers.

- **Amendment 2 – Station Area Uses (SMC 20.40.160).** This amendment provides a Station Area Use Table, which prohibits attached single-family residential uses in the MUR-70' zone and allows detached single-family residential uses in the MUR-35' and MUR-45' zones. It also provides clarification that detached single-family residential uses would be allowed in the MUR-45' zone as long as they meet the minimum density requirement of 18 units per acre. Existing single-family development in the MUR-45' zone would still be nonconforming because it does not meet the minimum density requirement.
- **Amendment 3 –Single-Family Residential Detached in the MUR-35' and MUR-45 Zones.** This amendment changes the index criteria for single-family detached residential uses in the MUR-35' and MUR-45' zones.
- **Amendment 4 – Table 20.50.020(2).** This amendment alters the table to add a minimum density requirement in the MUR-35' zone. The Planning Commission gave general direction that they did not want to pursue a minimum density requirement, but staff is recommending that the amendment go forward as written. Commissioner Chang voiced concern that eliminating the minimum density requirement would create the potential for very large, single-family homes. Mr. Szafran clarified that a single-family residential home in the MUR-35' zone would still be



required to meet the R-6 standards. He summarized that the intent is to provide enough flexibility for a developer to construct one single-family home in the MUR-35' zone based on the R-6 standards or multiple single-family homes that meet the minimum density requirement based on the MUR-35' standards. For clarification, Mr. Szafran said the nonconforming section of the code includes a provision that allows existing structures in the MUR-45' zone to be replaced or added on to based on certain limitations. This gives existing property owners in the MUR-45' zone assurance that their use can continue into the future.

- **Amendment 5 – Table 20.50.020(2).** This amendment places a minimum lot area requirement in the MUR-70' zone. The current proposal is 20,000 square feet.
- **Amendment 6 -- Table 20.50.020(2).** This amendment establishes a maximum setback requirement on 145<sup>th</sup> and 185<sup>th</sup> Streets. Mr. Szafran clarified that, if the maximum setback is 15 feet and the Public Works department determines that the City only needs a 10-foot setback at that particular point of the street, the amendment would allow the setback to be established at 10 feet in that location because that is all the space that is needed. Commissioner Moss-Thomas asked if the maximum setback would be 15 feet for all development along 145<sup>th</sup> and 185<sup>th</sup> Streets. Director Markle answered no and explained that the intent is that the maximum setback may be less than 15 with approval from the Public Works department. A setback greater than 15 feet would also be allowed. Commissioner Moss-Thomas suggested that the language be changed to be clearer. Ms. Redinger reminded the Commission that a corridor study for 185<sup>th</sup> Street will be done and additional design work is needed before the City has a clear understanding of what the exact setback must be for any specific parcel. The amendment provides a ballpark range of what the setback will likely be, and applications will be considered on a case-by-case basis.

Commissioner Moss-Thomas asked if the amendment would prohibit the City from establishing a minimum setback of more than 15 feet. Mr. Cohen answered no and explained that the intent is to allow the City flexibility to give the property owner more land area to work with by reducing the 15-foot setback to something smaller if the larger setback is not needed. Commissioner Moss-Thomas commented that if the Public Works Department determines that all 15 feet of the setback is needed for right-of-way, a building could end up right next to the sidewalk. Property owners should have a clear understanding of this possibility.

Commissioner Malek recalled that, at one point, the City changed its commercial protocol so that development was built as close to the street as possible. Using today's standards, development would be up to the street, and parking would be behind. Ms. Redinger agreed and said the style envisioned for 145<sup>th</sup> and 185<sup>th</sup> Streets would be appropriate to front the sidewalk up next to the building. The standard sidewalk envisioned for these streets would be wider, with a bicycle path and amenity zone. Commissioner Malek observed that the amendment is consistent with accommodating the new standard and allows for plazas and open space for bistros on the surface route. He asked if the amendment is also intended to address the potential of creating a canyon effect. Ms. Redinger reminded the Commission that this is a particular concern around the station, and a 45-foot step back would be required in this location. Mr. Szafran agreed to rework the language and provide a new version for the Commission's consideration at the next meeting.

- **Amendment 7 – Table 20.50.020(2)** – This amendment adds a provision that allows additional height for rooftop deck amenities.
- **Amendment 8 – SMC 20.50.020** – This amendment adds a provision related to how minimum density is calculated. Commissioner Moss-Thomas questioned why 13 units would be required if the minimum density was slightly greater than 12. Mr. Szafran likened the provision to the parking provision and explained that a site needs one parking space for every 500 square feet of commercial area, and the calculation comes out to 12.6 parking spaces. You can't build .6 parking spaces and 12 parking spaces would not meet the minimum requirement. Therefore, 13 spaces would be required. Commissioner Moss-Thomas voiced concern about applying the same concept to the number of units required to meet minimum density. The Commission and staff shared several examples to clarify how the minimum density requirement would be applied. Mr. Szafran agreed to discuss the concept further with Commissioner Moss-Thomas and provide an illustration of how it would be applied. Director Markle requested feedback from the Commission about whether it is important to maximize density in the MUR-35' and MUR-45' zones. If so, then they would want to round up. If they don't think it is a big deal to get the extra unit, they could maintain the existing standard which is to round up if greater than .5 and down if less. It is really all about maximizing density.

Commissioner Malek voiced concern about forcing builders to accept the additional unit, which would result in shrinking the design of the other units. Giving an option of 12 instead of 13 would result in slightly larger units. He suggested this approach may be too heavy handed. Director Markle said the amendment is simply an option for maximizing density, but the Commission could recommend the less aggressive approach.

- **Amendments 9, 10, 11 and 12 – SMC 20.50.120, .125, .220, and .230.** These amendments would move the design standards for single-family attached residential development from the commercial design standards to the multi-family and single-family attached design standards. This was an oversight when the MUR code was initially adopted. Townhomes should not really be designed to commercial design standards.
- **Amendment 13 – SMC 20.50.230.** This new amendment would require full site improvements for a change in use from single-family to commercial in the MUR-45' zone on 185<sup>th</sup> Street.
- **Amendment 15 – SMC 20.70.320.** As per this amendment, frontage improvements would be required for a change in use from single-family to commercial in the MUR-45' zone on 185<sup>th</sup> Street. Commissioner Moss-Thomas asked how this provision would apply to an existing large home that is converted to commercial on the ground floor and residential above. Mr. Szafran answered that, as currently proposed, site and frontage improvements would both be required. Commissioner Mork asked how the provision would apply to a home office. Mr. Cohen answered that if the use meets the requirements, it would be considered a home occupation rather than a commercial use. If it goes beyond that, it becomes a commercial use and the requirement would be triggered. Ms. Redinger clarified that home occupations can only occupy a maximum

25% of the unit's square footage. Mr. Szafran added that home occupations are also limited to certain uses and activities.

- **Amendment 14 – SMC 20.50.240.** This amendment would limit driveway access on 5<sup>th</sup> Avenue NE.
- **Amendment 15 – SMC 20.40.160.** This amendment to the Station Area Use Table would allow police and fire stations to be located in the MUR-35' zone with a Conditional Use Permit (CUP). Currently, the provision is allowed in the MUR-45' and MUR-70' zones. The intent is to give the fire and police department more flexibility when looking for sites to expand their facilities. Mr. Cohen noted that the provision is parallel to the ability for fire and police stations to be located in the R-6 zone with a CUP. With added density in the station areas, the police and fire departments will perhaps look for opportunities to expand in the future.

Mr. Szafran reviewed that staff will present the Planned Action Ordinance and other ordinances related to the 145<sup>th</sup> Street Station Subarea Plan on August 4<sup>th</sup>. On August 18<sup>th</sup>, the Commission will conduct a public hearing for the entire Subarea Plan package (Ordinances 750, 751 and 752). The items will be presented to the City Council on September 12<sup>th</sup>.

### **Public Comment**

**Yoshiko Saheki, Shoreline**, commented on Commissioner Mork's suggestion to change the R-6 zoned properties adjacent to the parks back to MUR-35'. She noted that the existing homes are fairly modest, and changing the zoning to MUR-35' would make the lots more expensive. If any of the action alternatives move forward, the subarea will build out to more than 32,000 people compared to no action of about 11,000 people. Having more people in the area will require more space for recreation. There are also non-recreational needs in terms of parks. For example, trees do a lot (temperate the air, clean the climate, etc.). In order to accommodate all the new housing stock (13,486 units) under the Compact Community Hybrid Alternative, a lot of trees will have to be eliminated. She encouraged the Commission to maintain the R-6 zoning around the parks. This would make it more affordable for the City to purchase the properties and create more park space; not just for recreation, but to create the natural areas that will be needed to maintain a healthy environment.

### **Commission Discussion**

Commissioner Mork said she is still unclear how Amendment 3 (SMC 20.40.506) would not allow and even encourage McMansions. The MUR-35' zone allows for a larger amount of lot coverage. Mr. Szafran said it depends on what is being developed. Commissioner Mork said it would be helpful for staff to provide more information that walks the Commission through the rules. This would help her more clearly understand how McMansions are not something that could happen as a result of Amendment 3. Mr. Szafran agreed to either meet with Commissioner Mork separately or provide written feedback to the entire Commission to address the concern.

Commissioner Mork voiced concern that parking problems would be created as the subarea is redeveloped. She asked if the City would monitor the situation and mitigate problems that come up.

Ms. Redinger said mitigations will be adopted as part of the process in the form of Development Code regulations. In addition, there will be mitigation associated with implementation and monitoring. As development permits come in, City staff will check against other systems and thresholds. Parking will definitely be monitored, and the City has information on the current utilization rates, which indicated that the current parking is underutilized. If they reach a situation where there is no more room in the Sound Transit lot and people start parking in neighborhoods, the City has provisions in place that require Sound Transit to institute a program to mitigate the situation. In addition, the City can adjust the parking standards if they are insufficient, if the exemptions for proximity to transit or affordable housing are creating insufficient parking, or if the behavioral change near light rail does not meet expectations. There are a number of tools in the toolbox, such as residential parking zones and increasing the parking standards. At this point, it would be a situation of monitoring and future fix.

The Commission discussed the potential of parking from large developments spilling out onto the residential streets because there is insufficient on-site parking available to the tenants. Commissioner Moss-Thomas felt this would be more of a concern in the early years before the light rail station is fully operational. A number of community members have voiced this concern and noted that problems already exist. Mr. Cohen commented that the DEIS and FEIS anticipated parking impacts and it is believed that the current code provisions should be proficient. However, adjustments to the development standards may be necessary in the future. Commissioner Mork summarized that staff believes that the FEIS has addressed the issue and the City will continue to monitor the situation and make adjustments if needed. However, she is concerned that the City, and not the developer, will have to address the problems. Mr. Szafran said developers will be required to meet the current code requirements. As development occurs, mistakes can be identified early on and changes can be made as appropriate. Parking is important in the City and is always on the staff's radar. Ms. Redinger emphasized that the exemption for proximity to transit would not be available until the transit station is fully operational. Commissioner Moss-Thomas suggested that this distinction should be made clearer.

Commissioner Moss-Thomas referred to Amendment 1 and questioned where the concept came from for requiring that development approved through a CARUP be designed to meet net zero energy or net positive energy standards or comply with the living building imperative. Director Markle said the concept was put forth as an idea. If the Commission is interested in the concept, it could be put forth as an amendment. She explained that the intent of the concept is to require that some goal or value be met in order for a developer to qualify for a greater density than R-6, which could result in more impact.

## **DIRECTOR'S REPORT**

Director Markle did not have any items to report.

## **UNFINISHED BUSINESS**

There was no unfinished business.

## **NEW BUSINESS**

Mr. Cohen said the Commissioners responded in favor of a retreat on the 5<sup>th</sup> Thursday in September (September 29<sup>th</sup>).

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

There were no reports of committees or Commissioners.

## **AGENDA FOR NEXT MEETING**

Mr. Szafran announced that staff would present the 145<sup>TH</sup> Street Planned Action Ordinance and Zoning Map as study items on August 4<sup>th</sup>.

## **ADJOURNMENT**

The meeting was adjourned at 8:50 p.m.

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William Montero  
Vice Chair, Planning Commission

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Lisa Basher  
Clerk, Planning Commission