

CITY OF SHORELINE

SHORELINE PLANNING COMMISSION SUMMARY MINUTES OF REGULAR MEETING

November 1, 2007
7:00 P.M.

Shoreline Conference Center
Mt. Rainier Room

COMMISSIONERS PRESENT

Chair Piro
Vice Chair Kuboi
Commissioner Broili
Commissioner Hall
Commissioner Phisuthikul
Commissioner Pyle

STAFF PRESENT

Joe Tovar, Director, Planning & Development Services
Steve Cohn, Senior Planner, Planning & Development Services
Steve Szafran, Associate Planner, Planning & Development Services
Flannery Collins, Assistant City Attorney
Jessica Simulcik Smith, Planning Commission Clerk

COMMISSIONERS ABSENT

Commissioner Harris
Commissioner McClelland
Commissioner Wagner

CALL TO ORDER

Chair Piro called the regular meeting of the Shoreline Planning Commission to order at 7:03 p.m.

ROLL CALL

Upon roll call by the Commission Clerk, the following Commissioners were present: Chair Piro, Vice Chair Kuboi, Commissioners Broili, Hall, Phisuthikul and Pyle. Commissioners Harris, McClelland and Wagner were excused.

APPROVAL OF AGENDA

The Commission agreed to divide the Director's Report into two segments.

DIRECTOR'S REPORT

Mr. Tovar announced that staff would present two resolutions to the City Council in December. The first would be a resolution describing the details of the 2008 Work Program. He explained that the Planning Division's proposed 2008 Budget includes funding for the Southeast Shoreline Subarea Plan and implementing zoning. If these funds are approved by the City Council, the project would be

included in the work program. The City Council would also consider the Planning Commission's proposed resolution related to coordination amongst the regional transit agencies. He invited the Commission to appoint a representative to attend the City Council Meetings when these two items would be discussed considered.

APPROVAL OF MINUTES

The minutes of September 19, 2007 were approved as corrected. The minutes of October 24, 2007 were approved as corrected, as well.

GENERAL PUBLIC COMMENT

LaNita Wacker referred the Commission to a campaign advertisement that was published in *THE ENTERPRISE* by Citizens for Positive Development. The article encourages the public to support the three City Council candidates because they listen to citizens before developers. While she agreed it is important for City Council Members to listen to the public, she said it is also important to include developers in discussions pertaining to the creation of a Comprehensive Housing Strategy.

City Council Member Keith McGlashan apologized for the Commission being more observers than participants at the joint City Council/Planning Commission Meeting on October 8th. Because of the room configuration, they were unable to achieve the interactive discussion he was hoping for. He also apologized for some of the comments that were made regarding the Commission. He thanked them for their work and said he appreciates and values their efforts.

PUBLIC HEARING ON RIDGECREST COMMERCIAL AREA ZONING

Chair Piro explained the rules and procedures for the public hearing, and then opened the public hearing.

Staff Overview and Presentation of Preliminary Staff Recommendation

Mr. Tovar referred to the 2007 Ridgecrest Neighborhood Study that was instigated by the City's Economic Development Director, Tom Boydell. Mr. Boydell retained the help of a class of landscape architecture students to work with the Ridgecrest neighborhood to discuss ideas and a vision for creating a sustainable neighborhood. Many of the concepts discussed at the neighborhood meetings were incorporated into the proposed zoning regulation. The proposed language also incorporates the following 2007-2008 City Council Goals:

- *Implement the Economic Development Strategic Plan.* This plan provided the impetus for Mr. Boydell to initiate the neighborhood study.
- *Develop a Comprehensive Housing Strategy.* The final report from the Comprehensive Housing Strategy Committee would be filed with the City Council in January of 2008. A lot of work has gone into this effort in 2007, and this has fed some of the concepts that staff tried to respond to in the proposed zoning language.

- *Create an Environmentally Sustainable Community.* A number of meetings are taking place this fall regarding this subject, and a strategy would be presented to the City Council in early 2008 for adoption of a plan.
- *Provide safe and affordable transportation options to support land use plans including walking, bicycling, transit and vehicular options.*

Mr. Tovar explained that within the 4-county region (King, Pierce, Snohomish, and Kitsap Counties), only about 15% of lands have been designated for urban growth. Because Shoreline is located close to the center of the urban growth area, they anticipate significant growth and change in the future. The Shoreline 2010 Speaker Series included presentations from a number of individuals regarding planning, land use, population change, housing needs, and changing energy availability. These subjects relate to how the City can create a development future that is better than what they have today.

Mr. Tovar explained that following a presentation by the Cascade Land Conservancy, the City Council adopted Resolution 260, which acknowledges that the City Council understands and supports the Cascade Agenda Program and they understand the importance of cities in making the program a success. The City Council pledged to do what they can to correspond to the principles and objectives of the program.

Mr. Tovar referred to a presentation by Mr. Hinshaw, a noted urban designer and architect, in which he discussed past and future demographic changes. He particularly noted the increase in the number of households and the decrease in the average household size. He emphasized that the future housing stock would have to be different in order to address these changes. He also discussed that the average lifespan is longer, which means that people are driving their vehicles later in life. However, it is becoming less and less viable for them to do so. Mr. Hinshaw also commented regarding the current cost of energy and what they can expect in the future. He referred to a study that was completed for King County regarding the link between land use, energy consumption and climate change.

Mr. Tovar noted that the form of development currently being considered for the Ridgecrest Commercial Area is a mixed-use, mid-rise concept. He provided a series of slides from communities in the Northwest to illustrate what the character and feel of the Ridgecrest Commercial Area could be with a properly designed project.

Steve Cohn noted the following two recent modifications to the proposed language.

- **Section 20.98.015.A.2:** The threshold was changed from a 2-acre minimum site size to a 1.5-acre minimum site size. This would provide adequate protection to the adjacent single-family residential properties.
- **Section 20.98.060.B:** The language was changed to make it clear that this section would only apply to the quadrant labeled Planned Area 2a. Staff recommends that the “2a” also be added to the title of the section.

Mr. Szafran briefly reviewed the proposed language for Planned Area 2 (Ridgecrest Commercial Area). He provided a map to illustrate the four corners at the intersection of Northeast 165th Street and 5th

Avenue. He explained that the Comprehensive Plan identifies the land use for the four corners as mixed-use, and the majority of the properties are designated as high-density residential, with small areas of medium and low-density residential. The properties are currently zoned Neighborhood Business (NB), with some R-18 and R-24. The majority of the surrounding properties are zoned R-6. The proposal is to rezone all of the properties that are currently zoned NB to the new Planned Area 2 designation. He explained that the purposes of the proposed rezone are as follows:

- To create a zoning category that provides flexibility yet ensures that the building site and building design is supportive of adjacent public spaces and land uses.
- To create a lively mix of commercial and residential development in a safe, walkable and transit-oriented environment.
- Contribute to the development of a sustainable neighborhood and a sustainable Shoreline.

Mr. Szafran emphasized the following elements of the proposed language:

- **Height, Step Back and Setback Requirements.** The proposed setback requirement would be zero on the north east and south, with a 5-foot setback requirement on the west side. The first three stories above the base level would be required to step back 20-feet on the south and 10-feet on the north, west and east. The minimum building height would be two stories, and the maximum building height would be up to six stories (65 feet), provided the public bonus features identified in the proposed language are provided for. The floor area ratio would be 4.75, and density would be controlled by the height, floor area, and parking requirements. He provided a schematic drawing to illustrate how the step back and setback requirements would be applied on the subject property.
- **Buffering.** The purpose of the proposed buffering requirements is to soften the visual impacts of multi-use buildings that are located adjacent to single-family homes by requiring decorative features along the building base levels, using stamped painted or other decorative treatments to the building base. The language would also require stamped and painted concrete on the building fascia not covered by plantings to provide visual relief for the properties to the west and south. Mature trees and shrubs would be required on the south property line to soften the appearance of the building from single-family uses to the south.
- **Height Incentives and Public Amenities.** The language lists the following public amenities that could be provided in exchange for additional height: affordable housing, active recreation areas of at least 600 square feet, public art and water elements that are visible and accessible to the public, public plazas of up to 1,600 square feet in a contiguous area, and sustainability features that incorporate new and innovative building techniques to reduce the demand on energy and stormwater systems.
- **Parking.** The proposed language would require a parking management plan to address parking impacts and ways to reduce the parking demand. It would also provide incentives for alternative transportation options for residents. As proposed, the new zone would require one parking space for each studio and one-bedroom unit and 1.5 spaces for each two-bedroom unit. The plan would also allow shared parking for commercial and residential uses on the site.

Mr. Szafran said staff recommends the Planning Commission recommend approval of the proposed language for Planned Area 2a – Ridgecrest Commercial Area for the reasons outlined in the presentation.

Questions by the Commission to Staff

None of the Commissioners had questions regarding the staff's presentation.

Public Testimony or Comment

Jim Potter, Kauri Investments, congratulated the Ridgecrest Neighborhood and the City of Shoreline for their hard work. Regarding the issue of sustainability, he noted that about 50% of the greenhouse gases that are emitted in the area come from automobiles and other modes of transportation. It is important to encourage people to use the transit system and walk more. Mr. Potter noted that the proposed language would require a parking management plan. While many are concerned that allowing an additional floor would result in a higher profit for the developer, it is important to understand that more parking would also be required and parking is a very expensive commodity.

Mr. Potter said the Crest Theater does utilize parking space on the subject property on weekends, and they are interested in working with them to deal with the parking issues that currently exist in the neighborhood. He noted that while his development company has utilized the concept of car lifts, the City's current code would not allow this to occur. He concluded his comments by expressing his interest in working with the community in the future to create a sustainable project that utilizes many of the features identified in the proposed new zoning code.

Vice Chair Kuboi asked Mr. Potter to expand on his comments related to traffic. Mr. Potter said traffic and parking go hand-in-hand. The more parking a site demands, the greater the traffic impact will be. If they don't provide enough parking, people are concerned about the parking impacts; but if they provide too much parking, people express concern about traffic. These two issues must be carefully balanced. He emphasized that transit access is convenient to the site, and there is also good access to the freeway for carpool and bus options.

Commissioner Phisuthikul pointed out that the proposed language hedges on the concept of making commercial development possible on the subject property, but is not a requirement. He asked Mr. Potter to share his opinion about whether commercial development would be feasible on the site. Mr. Potter answered that commercial development would be possible, but they need help from the community to figure out what they want and what they are willing to support. The commercial use would require customers from the neighborhood. He noted that the proposed language includes a provision that would allow the commercial areas to be utilized as live/work spaces in the interim. He emphasized that empty commercial spaces would not be good for the community or the City.

Patty Hale expressed concern that the proposed language appears to be phasing out the single-family residential neighborhoods through intentional design as mandated by urban growth. It appears the City is being forced to design higher-density, smaller units that preclude the ability to house children to feed

into the public school system. She said she is excited about the potential development opportunities for the subject property, but she also has a concern that there would be no transitional zoning to the west and south. While the west facing side would have a setback requirement, no step back would be required until the fourth floor. This would allow a three-story wall directly adjacent to a single-family residential development.

Ms. Hale emphasized while it is the developer's responsibility to address and constrain parking on-site, the City must address traffic calming on the residential streets and monitor traffic flow at the intersection of 5th Avenue and Northeast 165th Street. If the goal is to increase and encourage transit usage, the developer must work with Metro to provide a new bus stop near the site. In addition, the City must work with Metro to make sure there are adequate bus routes to move people to and from their destinations. She noted that several years ago, Metro removed the bus route on Northeast 165th Street, which connected 5th Avenue to 15th Avenue, even though the neighbors supported the idea of adding the street light at the intersection so the east/west run could continue.

Commissioner Pyle asked about the grade separation between the proposed building site and the residents to the west. A member of the audience answered that the grade separation ranges from 18 and 27 feet.

Vice Chair Kuboi requested clarification regarding Ms. Hale's concern about the impact smaller units would have on the school district. Ms. Hale said she is not necessarily concerned with Planned Area 2a, but the slide provided by staff identifies a continuation of the concept of increased residential densities on the other corners of the intersection. Her concern was that as they decrease the size of homes, they preclude the ability to house children, and this would have an impact on the public schools.

Donna Eggen said she appreciates that many people are working hard to create a plan that makes the best use of the property. However, she is concerned about the proposed building height. She said she strongly believes it would be in the best interest of the neighborhood's character to limit the buildings to three stories. If the builders know of this limit from the onset, they should be able to plan accordingly. It is the developer's responsibility to revise plans in order to make a profit. She expressed her belief that the builders' offer to develop a certain number of low-income units is not a sufficient trade off for being allowed a six-story building. She noted that fewer stories would also result in less parking and traffic impact.

Secondly, Ms. Eggen requested clarification about what is meant by "public plaza." Would this plaza be open for residents of the complex only, or would the general public have access, as well? She suggested that if the plaza is only intended for the residents' use, it would be better to locate it away from the main street surrounding the complex so that non-residents would not have easy access. If the plaza must be accessible to the general public, it would be wise to locate it on the edge of the property.

Pam Mieth said the first thing the City Council and Planning Commission must decide when reviewing the proposed zoning language for the Ridgecrest Commercial Area is whether a six-story building directly abutting single-family homes is a good idea and whether the benefits hoped for would be adequate to offset or at least justify the negative impact on the neighbors. She expressed her belief that

the answer to this question should be no. She questioned why the prospect of a six-story development abutting single-family homes in another part of the City engendered dismay from some Commissioners at the last meeting, when they appear to support the prospect of this same type of development in the Ridgecrest Neighborhood. While she is in favor of encouraging economic development and affordable housing, she questioned why it must come at such a high price to the neighborhood.

Ms. Mieth pointed out that the subject property, as currently zoned, would allow for a variety of development options, including approximately 60 townhouses or mixed-use buildings up to four stories high with setbacks on all sides. While these are not entirely pleasant prospects, the proposed rezone would eliminate the setback requirements on all but one side and allow up to six stories and an unlimited number of units. She urged the Commission to reject the proposal. If not, they should at least modify the language substantially. She suggested there are ways to encourage the kind of development they want (three stories with stepbacks and setbacks) without making it unpalatable to residents or unfeasible for the developers. At the very least, the proposed language must identify minimum square footage or a unit maximum for the site. She also requested that the Commission insist on better setbacks and earlier stepbacks on all sides to mitigate the encroachment of a six-story building on single family homes.

Ms. Mieth recalled that at the last meeting, a Commissioner suggested that the residents' concerns about Crest Theater parking were misplaced and that encouragement of added car use would be unwise. She said she can understand and even agree with this comment, but she suggested the point was missed that it's not so much that Crest Theater patrons would no longer be able to park in the Bingo Lot, but without adequate parking for the proposed development, the on-street parking that's currently available to accommodate residents and theater patrons would be taxed beyond capacity. She said she would like to see some discussion about the likely traffic impact of potentially adding 200 units on the subject property. She would also like to hear more discussion about the rumored tax breaks for the proposed development. She urged the Commission to aim higher at protecting the neighborhood.

Tom Tiegen said his home is located adjacent to the subject property on the west side. He explained that he has a background in economic development and parks, and he has worked with the National Historic Trust and the Main Street Program in the past. He said he has worked with representatives from Transportation Choices, and he is currently employed as the Snohomish County Parks and Recreation Director. In theory, he supports higher density and encouraging people to utilize the public transportation system. He referred to the slide provided by staff to illustrate the west elevation of the subject property. He noted the location of his home, the significant grade change that exists, and the Leland Cyprus Trees on this property that provides a 16-foot buffer. He expressed concern that the proposed language would only require a 5-foot setback. In addition, if the step back is not required until the 4th story, the impact to his property could be substantial. He said he understands the need to allow a greater height in order to make the project more feasible, and he believes the concerns can be adequately resolved. He said he has no interest in moving anytime soon, and he would like the City to consider the option of establishing some type of buffer zone for the west side of the subject property.

LaNita Wacker said she attended the neighborhood meetings, and she supports the proposed increased density. However, she is concerned about parking and traffic impacts, which cannot be ignored. She suggested the developer work with the Crest Theater to provide a structured parking garage that could

serve both uses. She noted there have been complaints that property owners in North City are charging fees for parking space. The City must ensure the parking spaces are available to the residents of the new development, so they do not end up parking on the street. She said her vision for the Ridgecrest Commercial Area is for a walkable community with a mixture of commercial development on the lower levels and residential on the upper stories.

Tom Poitras expressed concern that the proposed language does not include any firm parking requirements. He pointed out that most of the residents in the area don't want to live in an atmosphere like Green Lake or the University District where it is difficult to park in front of their own homes. Because the parking requirements are not clear, this type of situation could very well occur. He expressed distress over the arrogance of one Commissioner who implied that they shouldn't be concerned about parking. He cautioned that the residents would suffer if adequate on-site parking is not required for the new development. He also expressed concern that people drive fast down 5th Avenue, and it is already difficult for people to get out of their driveways.

Chair Piro asked if Mr. Poitras would support the concept of requiring a district parking plan that places particular restrictions on the single-family streets to limit parking to residents or visitors. Mr. Poitras said he would support this concept, but he cautioned it could take years for the City to approve this type of program. Again, he expressed his concern that the parking requirements contained in the proposed language are too vague.

Lynne Scott requested clarification about whether the proposed zoning change would apply to all of Area 2 or only to Area 2a. Mr. Cohn explained that the proposed height and other regulations would only apply to Area 2a. Additional regulations would be applied to the other three corners. Those regulations would apply to any development on a property over 1½ acres. The most important regulation is that development on the upper floors would need to be stepped back from the building edge. The setback varies from 10-20 feet depending on the adjacent zone. NB zoning rules would continue to apply to density, height and property-line setbacks.

Ms. Scott asked if any of the parcels are 1½ acres in size now. Mr. Cohn said that, currently, none of the properties are 1½ acres, but properties could be combined to make larger parcels. Secondly, Ms. Scott reiterated that a 625 square foot unit would be, at best, a one-bedroom unit. Very few people would choose to raise a family in that small space, and she, too, is concerned about the impact this would have on the school district. Ms. Scott also requested clarification about whether the public space would be available for the general public to use.

Liz Poitras said she is against the idea of allowing five or six-story buildings in the area when most of the adjacent residential homes are just one story. She said her preference would be a three-story development, but she could live with four stories. A five or six story development would tower above all of the residential homes, and the mechanical equipment would add additional height. She suggested that a six-story building could set a precedent, and she is already concerned about too much business development coming to the Ridgecrest Neighborhood.

Lisa Kennan-Meyer said she is an architect and resident of Seattle and said she is thrilled to be involved in a project where so much ground work and research was done by students. She is excited about the proposed code language, which offers a lot of flexibility, as well as some very forward ideas for putting together a mixed-use project within a residential setting. She said they are planning to develop smaller units in order to broaden who lives in the neighborhood. She explained that as people age, this would allow the single-family housing stock to turn over to families, and older people could move into the smaller units and stay in their neighborhood. She noted that the proposed project would not displace any single-family homes, since the site is currently being used as a parking lot. She agreed that it would be challenging to minimize the impacts to the residential properties, but there are examples throughout the country, such as the Pearl District in Portland, where one and two-story buildings were successfully located next to buildings that were six-stories high or more. By using good landscaping, buffers, setbacks, decks, etc. the results could be fabulous. She emphasized that the site would not be developed as just one building, but multiple buildings with a variety of modulation would be created.

Vice Chair Kuboi pointed out that the Ridgecrest Neighborhood would not likely command the premium that a place such as the Pearl District in Portland or Capital Hill in Seattle would be able to command because of the existing amenities, etc. He invited Ms. Kennan Meyer to identify particular challenges associated with the subject property. Ms. Kennan-Meyer said her previous comparison was related to bulk and scale and the use of landscaping, benches, sidewalk furniture, etc., which add to the neighborhood's ability to locate taller buildings next to smaller buildings. She agreed that the Ridgecrest Neighborhood is particularly challenging because there are numerous single-story homes.

Vice Chair Kuboi noted that it would cost money to implement the recommended design features and public amenities in order to soften the impact of the larger buildings. He questioned if the market would support a design that offers a full range of amenities. Ms. Kennan-Meyer agreed that design choices must be made, and they are looking forward to a series of neighborhood meetings to discuss this issue.

Commissioner Hall asked if there are other areas in the City where development of this kind might be considered in the future. Ms. Kennan-Meyer answered affirmatively and added that Shoreline is a fabulous location for this type of opportunity. She explained that the subject property is large enough to make a difference and perhaps set some standards for what could be done on a smaller scale in other areas of the City.

Phillip Scott said he has watched the City of Seattle miss a lot of opportunities in Northgate and Lake City by allowing zero lot line development and not leaving room to expand the street to allow for additional parking, bike lanes, etc. He doesn't want this to happen in Shoreline. If there is an opportunity for growth on 5th Avenue, the City must maintain the ability to expand the street to accommodate the changes. He said he agreed with the comments made previously by Mr. Tiegen.

Presentation of Final Staff Recommendation

Mr. Tovar clarified that it staff's intent that the plaza would be accessible to the public, as well as to the residents and patrons of the property. If necessary, the Commission could recommend a condition that would require an easement over the plaza to guarantee legal access to the public during daylight hours.

Mr. Tovar referred to the concerns raised at a previous meeting about traffic on Northeast 163rd Street. Staff has recommended a condition for Planned Area 2a that would limit vehicular access to the subject property to one way in. No vehicular access would be allowed onto Northeast 163rd Street.

Mr. Tovar emphasized the importance of weighing the public's concerns against the potential benefits. There is no one right answer, and staff has done their best to craft a regulation that is practical from a marketing standpoint and provides substantial benefits to the public. While the Commission could recommend a lower height limit, staff is convinced the change would result in a homogenous townhouse development.

Final Questions by the Commission and Commission Deliberation

Vice Chair Kuboi invited Patty Hale to share comments the Ridgecrest Neighborhood Association Board has received from neighbors regarding whether they would prefer the new zone to allow four-story structures versus six-story structures. Ms. Hale responded that many of the neighbors indicated their preference for a four-story limit, and they have expressed concern about putting a high-density development into a single-family residential neighborhood when there is no transitional zoning on two of the sides.

Commissioner Phisuthikul asked who would be responsible for funding traffic revisions at the intersection of 5th Avenue and Northeast 165th Street if they are determined necessary. Mr. Tovar answered that the developer's only obligation would be to make the required half-street improvements.

Commissioner Broili noted that the staff report did not address the issue of traffic impacts on either the localized area of 5th Avenue and Northeast 165th Street or the surrounding areas. The proposal could potentially add an additional 200 residents to the area, but no strategy has been identified for addressing the traffic impacts to surrounding areas. He recalled that one speaker cautioned the City to retain the ability to increase the street width of Northeast 165th Street to accommodate future growth and amenities. He asked staff to respond to this issue.

Mr. Tovar explained that any development permit processed by the City is subject to the State Environmental Policy Act (SEPA), which would involve a review of elements of the environment. Traffic is one element that would be reviewed, and appropriate mitigation would be described in the SEPA Checklist for the project. He further explained that, as proposed, less parking would be required than has traditionally been the case. He noted that one of the City's goals is to encourage more use of transit. He referred to a study titled, "The High Cost of Free Parking." This study indicates that historically the more parking that is available and the cheaper it is, the more people will use it and the less viable alternative forms of transportation will become. It is important to recognize that the new zone is intended to result in a different mix of uses. If the current and long-range trends hold true, the City would see fewer vehicle trips per unit coming out of a project of this type.

With respect to the long-term impacts and capacity of 5th Avenue and the intersection at Northeast 165th Street, Mr. Tovar advised that recent research indicates that the capacity of a three-lane road section has

been documented to be virtually as efficient as a four-lane section. Therefore, staff is not contemplating a need for widening 5th Avenue. However, various traffic control measures might be considered in the future. Commissioner Broili emphasized that he is in support of the proposed new zone, but it is important that the City also consider the broader, downstream traffic impacts, too. Mr. Tovar explained that as growth occurs, there would be more demand for movement through the corridor and it is up to the transit agency to respond to that demand. The City would not obtain more transit service until the demand is present.

Chair Piro emphasized that the Commission is not reviewing or considering any specific project at this time. He noted that once a rezone application has been reviewed by the Commission and approved by the City Council, an applicant would not be required to present a future project proposal to the Commission for review. Mr. Tovar explained that, as the language is currently drafted, projects would be subject to the requirements of the Planned Area 2 Zone, one of which is a neighborhood meeting, but then the application would be reviewed administratively. However, the Commission and City Council could decide that another review process would be more appropriate, such as permit review by the Commission or Hearing Examiner. Chair Piro noted that many of the concerns raised by the public are legitimate, and it might help to ease these concerns if the review mechanism was clearer.

Commissioner Pyle said he feels that design review is a tool the Development Code has been missing for a long time. While it may not overcome the lack of transition areas within the City between different densities, it is a tool staff could use to obtain a superior product for the community to enjoy. He referred to Section 20.98.040.E (Review and Approval), and questioned how it would fit with Section 20.30 (Procedures and Administration). Mr. Tovar explained that administrative design review is new for the City, and appeals would be directed to the Hearing Examiner. Commissioner Pyle inquired if staff would also add another section similar to 20.30.300 to identify the purpose and provide a series of design criteria. Mr. Szafran answered that the proposed new design review process would be added to Section 20.30. Commissioner Pyle asked if staff would prepare a staff report that analyzes the requirements of the proposal and ultimately comes to a conclusion based on the findings. Mr. Tovar explained that staff would prepare a staff report, and the public would be invited to submit written comments. No public hearing would be held, and the decision would be made based on the written record.

Vice Chair Kuboi said a number of concerns were raised regarding parking and traffic. He asked staff to offer general guidance as to what the acceptable outcome of a parking management plan would be. Mr. Szafran responded that the parking management plan would address parking for a specific project on the site and how the parking could be contained on site so it would not impact the surrounding environment. Mr. Tovar further explained that the parking management plan would also describe the availability of on-street parking. While the parking requirement could not be met by utilizing on-street parking spaces, on-street public parking could be considered when reviewing impacts. The ability to monitor the performance of an approved parking management plan would be built into the language, so the City would be able to revisit components of the plan and make appropriate adjustments as necessary in the future.

Chair Piro agreed that the proposed change would result in some impact to the existing parking and traffic situation. However, the additional traffic would not necessarily overload the street. He suggested the language should make it clear that the parking management plan would not result in a no net impact outcome. Mr. Tovar agreed that every project would result in an impact, and the SEPA review must identify how much impact would result and how the impacts could be managed.

Chair Piro recalled his previous suggestion that the City create a district wide parking management plan, and then require each individual project to complete a separate parking management plan within the context of the district wide plan. Mr. Tovar agreed there are a number of other steps and strategies the City could pursue apart from the regulations and conditions that might be imposed on any project proposed for the new zone. For example, once the City Council receives the recommendation on the environmental sustainability goal, they would likely identify projects, districts and neighborhoods that might be appropriate for additional programs and policies to encourage sustainability.

Commissioner Broili agreed with Chair Piro that a parking management plan should be broader than just the development; it should also address the anticipated downstream effects. He suggested the City achieve this goal by working closely with the developer.

Commissioner Phisuthikul referred to Section 20.98.060.C.5(Sustainability Features), which indicates the intent of the section is to ensure that new construction incorporates new and innovative building techniques to reduce demand on energy and stormwater systems. He noted that the proposed language does not identify what would be required and how success would be measured. Mr. Cohn reminded the Commission that this is a new concept for the City, so they do not currently have a threshold for measuring the concept's success. Mr. Tovar added that this is the City's first attempt to implement a sustainable building requirement, but they should receive more direction from various groups in the near future that would enable them to provide more details. He emphasized that the notion of a mixed-use, walkable project on a transit line is, in itself, a sustainability feature of land use.

Commissioner Broili expressed his belief that the Commission needs more time to consider the proposal and address concerns before making a recommendation to the City Council.

COMMISSIONER BROILI MOVED THAT THE COMMISSION CONTINUE THE PUBLIC HEARING TO NOVEMBER 15, 2007. COMMISSIONER HALL SECONDED THE MOTION.

Commissioner Phisuthikul asked if continuing the public hearing would allow the public an opportunity to address the Commission at their next meeting. Chair Piro answered that, typically, the Commission places a proposal on the table before the public portion of a hearing is closed.

Mr. Tovar suggested this item be continued to the November 15th agenda, and he invited the Commissioners to identify the questions they would like staff to respond to. Chair Piro advised that all Commission questions should be submitted electronically to the staff by November 5th so their response could be provided in the Commission's November 15th meeting packet. Mr. Tovar encouraged the Commissioners to suggest any additional requirements they would like to include in the language.

Vice Chair Kuboi asked if the public would be allowed to provide additional comments on any changes that are made to the proposed language before the hearing is continued on November 15th. Chair Piro said that, typically, the public would be allowed an opportunity to speak to any new information or changes that are proposed.

Vice Chair Kuboi referred to the list of public benefits that could be offered by a developer in exchange for additional stories and suggested that the most notable benefit would be the public plaza, which would serve as a “third place.” He questioned if this concept would be suitable when the weather is unfavorable. Mr. Tovar suggested staff clarify the language to make it clear that the intent of a public plaza is that it be used by the public for as much of the year as possible and still be an open area. Vice Chair Kuboi invited the members of the public to contact staff via email to share their ideas for features that would make the public plaza a successful third place.

Commissioner Pyle asked staff to identify the dimensions of the subject property. Mr. Tovar agreed to provide the dimensions of all properties in the proposed Planned Area 2 Zone. Commissioner Pyle provided a diagram to illustrate the dramatic grade separation. The diagram identified up to 80 feet of height, with the single-family residence in the rear dropping down 20 feet. He expressed his belief that while obtaining six to eight stories along the street frontage could be acceptable, it would not be appropriate where the property abuts single-family neighborhoods. He suggested it might be possible to utilize a split elevation concept on the site, with taller buildings along the street and smaller buildings in the back. This would allow the project to be more in line with the grade separation and the topography. Mr. Tovar agreed to provide better contour information prior to the next meeting.

Commissioner Hall said he still struggles with the issue of quasi-judicial versus legislative proceedings. He said it is important that the public have a clear understanding of what the differences are and what the Planning Commission’s role should be. He recalled that the Commission has dealt with situations like this in the past via a contract rezone, but the City Attorney has advised against this approach. The current proposal is similar in nature because the majority of the proposed new language is related to just one parcel, and many of the comments were directed at one particular project. Mr. Tovar said he would invite the City Attorney to prepare a one-page primer to outline the differences between quasi-judicial and legislative proceedings.

Commissioner Hall also agreed with Commissioner Broili that the parking plan should be broader than just one site, and the City should be a partner in this effort. He noted that staff is working on the idea of trying to improve the City’s regulation of development by not focusing just on unit count or square footage, and he asked if this same design review approach would work elsewhere in the City. He asked why staff feels it is necessary to focus just on this one narrow site, when the mixed-use zoning designation has been on the Commission’s “parking lot” list for the past two years.

Commissioner Hall said he only attended one of the meetings where the University of Washington Students presented the results of their work, but he did not recall a differentiation that suggested they only consider taller buildings on this one quadrant. He asked staff to identify the driving force behind this decision. Based on information the Commission received from the City Attorney, he expressed concern that there is nothing on the record that suggests an overriding public purpose that merits treating

this one parcel in a special way. Mr. Tovar said this information could all be articulated in a staff memorandum, and staff could also compose language for the Commission to incorporate as part of their findings and conclusions to explain the reasoning behind their recommendation.

Commissioner Broili expressed concern about the proposed setback and stepback requirements, especially on the south and west side. He said he would be amenable to a more gradual change up, perhaps going seven or eight stories on the street, with just one story on the south and west to lessen the impact on single-family properties.

Commissioner Broili suggested that in addition to the required neighborhood meeting, the City should work with the developer to conduct more than one meeting since the impacts and changes would be significant.

Commissioner Broili suggested the Commission encourage the City's Economic Development Director to work with the developer to come up with a business strategy to identify the types of businesses that would be appropriate for the site so the retail space could be utilized to its full potential. He suggested the public be involved in the process, as well.

Vice Chair Kuboi expressed appreciation to the neighbors for providing respectful and insightful comments during the public hearing.

Chair Piro said he would also like an opportunity to revisit the concept of stepbacks, setbacks, and transition at the next meeting. He said he is not keen on the idea of placing the transition responsibility on adjacent properties that are not part of the proposal.

THE MOTION CARRIED UNANIMOUSLY.

REPORTS OF COMMITTEES AND COMMISSIONERS

Chair Piro reported that he attended the Parks Board Meeting where the Board discussed the Echo Lake Proposal and the consideration that is being given to transition the open space component of the project to City ownership. He made it clear that the Planning Commission has not had an opportunity to formally discuss the concept. He summarized that the Parks Board believes they need more time to consider other possible options other than going forward as the project was approved or turning the property over to the City to develop as a park. The City Manager expressed an interest in bringing the Planning Commission into the issue. It was discussed that if the site is owned by the City and developed as a City Park, it would receive better treatment and be a more amenable asset for the City than what would be developed under the present conditions. He expressed the Commission's concern that some of the conditions they recommended for the site were disregarded midway through the project.

Commissioner Hall noted that it was the applicant who proposed a large number of the conditions that they now seek to vacate, including the boardwalk. He expressed concern about the precedent that would be set if the City were to eliminate some of the conditions placed on the property. Chair Piro concurred. He suggested the Commission discuss this issue further at their next meeting and forward their

comments on the matter to the City Manager. Mr. Tovar agreed to provide copies of the City Council Minutes where the City Council provided direction to the City Manager. Mr. Tovar said his understanding of the current proposal is that the City would become the owner of the area in question and then pay the cost of making the required improvements to meet the conditions. He explained that conditions such as the boardwalk could only be removed by going back through the process. Chair Piro said the Park Board expressed an interest in moving forward with the proposal, but still require the developer to contribute funding.

CONTINUED DIRECTOR'S REPORT

Mr. Tovar reported that the design work for the City Hall Project is continuing on pace. A meeting was held last week where the designers and developers presented the latest iteration of the building drawings to the public. These drawings have been posted on the City's website, as well. The footprint is similar to what was presented before, but they still do not know many details about site development, landscaping and access to adjacent properties. Additional details would be presented to the City Council on November 5th.

Commissioner Phisuthikul reported that he has followed the City Hall Project closely and has provided comments related to parking. The site plan was well done and provides adequate articulation and separation of the Council Chambers from the public areas. It allows an opportunity to connect the public open spaces to the future park.

Mr. Tovar announced that the City Council recently imposed a six-month moratorium on the submittal of development permit applications for projects that have a multi-family component in areas that are zoned RB, CB or Industrial, provided that those properties are within 100 feet of property that is zoned R-8, R-6 or R-4. He explained that the current RB zoning is very permissive in terms of building height and has no maximum unit count. In addition, it has no transitional design requirements. A public hearing on the moratorium has been scheduled for December 10th or December 17th. The Planning Commission's 2008 work program would now include a discussion about the types of transition requirements the City should consider for the RB, CB and Industrial zones that are located adjacent to single-family residential zones.

AGENDA FOR NEXT MEETING

Chair Piro noted that in addition to the continued public hearing on the Ridgcrest Commercial Area Zoning Proposal, two other public hearings were scheduled on the November 15th agenda. One of the public hearings would be rescheduled to the 1st meeting in December.

ADJOURNMENT

The meeting was adjourned at 9:44 P.M.

Rocky Piro
Chair, Planning Commission

Jessica Simulcik Smith
Clerk, Planning Commission