

CITY OF SHORELINE

SHORELINE PLANNING COMMISSION SUMMARY MINUTES OF REGULAR MEETING

April 19, 2007
7:00 P.M.

Shoreline Conference Center
Shoreline Room

COMMISSIONERS PRESENT

Chair Piro
Vice Chair Kuboi
Commissioner Broili
Commissioner Hall
Commissioner Harris
Commissioner Phisuthikul
Commissioner Pyle (arrived at 7:06 p.m.)
Commissioner Wagner

STAFF PRESENT

Joe Tovar, Director, Planning & Development Services
Steve Cohn, Senior Planner, Planning & Development Services
Paul Cohen, Senior Planner, Planning & Development Services
Steve Szafran, Planner II, Planning & Development Services
Jessica Simulcik Smith, Planning Commission Clerk

COMMISSIONERS ABSENT

Commissioner McClelland

CALL TO ORDER

Chair Piro called the regular meeting of the Shoreline Planning Commission to order at 7:05 p.m.

ROLL CALL

Upon roll call by the Commission Clerk, the following Commissioners were present: Chair Piro, Vice Chair Kuboi, Commissioners Broili, Harris, Phisuthikul, Hall and Wagner. Commissioner Pyle arrived at 7:06 p.m. and Commissioner McClelland was excused.

APPROVAL OF AGENDA

The agenda was approved as presented.

DIRECTOR'S REPORT

- **Joint City Council/Planning Commission Fall Meeting**

Mr. Tovar suggested that Monday, September 24, 2007 be scheduled as a joint dinner meeting for the City Council and Planning Commission. This type of setting would allow more discussion and dialogue between the two groups. The date would also afford the Commission an opportunity to identify upcoming projects that might have some resource implications prior to the City Council getting to far into the 2008 budget process.

• **Update on Civic Center/City Hall Project**

Mr. Tovar reported that a public workshop was conducted on March 20th, and citizens were invited to provide their ideas. A staff team has evaluated the Request for Qualifications submittals from six developer/design teams. The three finalists have been invited to submit Request for Proposals, including some conceptual representations showing how they might optimize the use of the site. The staff team would review the Request for Proposals in early June and make a recommendation to the City Council later in the month. It is anticipated the Council would select a development team sometime in July, and then a developer agreement would be negotiated. The goal is for the City Council to make decisions about many of the details by the end of 2007 so that construction could start in 2008.

APPROVAL OF MINUTES

The minutes of March 15, 2007 were approved as submitted.

GENERAL PUBLIC COMMENT

Maria Walsh, Mountlake Terrace, recognized that some effort has been made by the City of Shoreline to contact the Washington State Department of Social and Health Services regarding the Fircrest Property (City Council Goal 8), but the City has not received a response. She urged them to continue their efforts to work with the State to keep the facility in Shoreline. Wonderful things are happening at the facility, and the resource is very important to the community.

PUBLIC HEARING ON 2007 DEVELOPMENT CODE AMENDMENTS

Chair Piro advised that this item is a continuation of a public hearing that was held on March 15th regarding the proposed second batch of 2007 Development Code Amendments. He briefly reviewed the rules and procedures for the public hearing.

Staff Overview and Presentation of Preliminary Staff Recommendation

Mr. Szafran recalled that 17 code amendments were presented to the Commission at the March 15th public hearing. One amendment was pulled by staff, and the Commission recommended that Amendments 9, 13 and 14 be reviewed further by the staff. He reviewed the staff's further evaluation of each of the three amendments.

Amendment 9 – Section 20.50.020(2) Density and Dimensions for the CB Zones Along Aurora

Mr. Szafran said that because the original proposal would only immediately affect two parcels (James Alan Salon and Fire Station Properties), staff reconsidered the scope of the amendment and evaluated its

applicability in other parts of Shoreline. He explained that, as per the revised amendment, the proposal would be expanded to affect all CB zoned parcels within 1,300 feet of Aurora Avenue North and Ballinger Way. He advised that staff is recommending that the revised Amendment 9 be adopted for the following reasons:

1. A standard measurement for a maximum walk time to get to a specific destination is 1,300 feet or a 15-minute mile walk time.
2. Aurora Avenue North and Ballinger Way are principal arterials and provide convenient alternative modes of transportation.
3. There are many parcels along Aurora Avenue North and Ballinger Way that have a potential for CB zoning, and most of them are topographically separated from or not directly adjacent to single-family areas.

Amendment 13 – Section 20.50.420 Vehicle Access and Circulation Standards

Mr. Szafran recalled that the Commission requested historical information regarding the establishment of a 5-foot setback requirement for driveways. He said it appears the amendments were established to clarify when a driveway could be within a setback. He also recalled the Commission requested additional information from recent City Council discussions on this item, and the following identifies the comments they provided:

1. Adjacent properties could be impacted.
2. Setbacks should be required.
3. Perhaps variances could be used instead.
4. The amendment affects the housing stock in Shoreline and growth management goals.
5. Neighbors should not have veto power over projects.

Mr. Szafran suggested the City Council's concern about the impact to adjacent property owners could be addressed by eliminating Section C and modifying Section B to require a solid fence between the access and the property line wherever the access is within the required yard setback.

Amendment 14 – Section 20.70.030(C)(3)(1) Required Improvements

Mr. Szafran recalled the Commission's concern that this code amendment would create the possibility for developers to circumvent required improvements. To address this concern, he suggested that Item 3 be changed to state that subdivisions, short plats and binding site plans where all the lots are fully developed with at least one dwelling unit or habitable structure on every lot shall be exempt from all of the requirements of the section.

Mr. Szafran recommended the Commission approve the revised amendments as proposed by staff.

Questions by the Commission to Staff

Vice Chair Kuboi asked if other arterials in the City were evaluated to determine the potential for applying **Amendment 9** to other CU properties in the City. Mr. Szafran answered that Ballinger Way and Aurora Avenue North were selected because they are principal arterials, which is the City's highest

street classification. Vice Chair Kuboi pointed out that Westminster Way and 15th Avenue Northeast are also principal arterials. Mr. Tovar added that Ballinger Way and Aurora Avenue North are also State highways. Vice Chair Kuboi suggested the proposed amendment clarify the reason why only these two roads are being considered in the findings.

At the request of the Commission, Mr. Szafran clarified that staff is recommending adoption of the new language they proposed for Item B of **Amendment 13**.

Commissioner Kuboi referred to **Amendment 14** and asked staff to clarify the difference between a “dwelling unit” and a “habitable structure.” Mr. Cohen explained that “dwelling unit” references a place where people live. A “habitable structure” could reference a structure that is used for a store or other type of business, with no people living in it. He advised that a binding site plan is the process by which a commercial property is subdivided. Because they are combining the uses into one provision, they must show the variation of how the spaces could be used.

Public Testimony or Comment

Michelle Cable, Seattle, expressed her support for **Amendment 9**, as modified by staff. She advised that she owns property on Ballinger Way that is zoned CB, and she is interested in potentially developing it as Mixed-Use building. Changing the amendment would allow future developers greater opportunities for different decision-making processes. She said she hopes to develop affordable senior housing on her property, and she noted that it is easy to walk from properties on Ballinger Way to bus stops and stores. Ballinger Way is also easily accessible from Interstate 5. She noted there is a shortage of senior housing opportunities in Shoreline, and the modified amendment would help remedy that problem. She pointed out that the viability of financing projects of this type is dependent on the density allowed.

Commissioner Hall asked Ms. Cable how she became aware of proposed **Amendment 9**. Ms. Cable said she has attended City meetings, visited the City’s website, and discussed her property with the City staff. She provided written comments in support of the proposed amendment, too.

Tyler Abbott, Seattle, said he works in Shoreline and was present to support **Amendment 9**. He said he represents the redevelopment of the James Alan Salon Property, and they have recently come before the Commission with a request to rezone. He referred the Commission to the feasibility study that was completed by an architect to identify what could be done with the site. The property is currently zoned CB, which allows structures of up to 60 feet tall. He provided a conceptual site plan, showing one floor of retail, with three floors of residential above. He stressed that the structure of the building would be the same whether **Amendment 9** is approved or not. If they are allowed to construct 25 residential units, they would be able to provide enough parking spaces underneath the building to meet the City’s parking requirement.

Matthew Fairfax, Edmonds, said he is co-owner of the James Alan Salon. He thanked the Commission for their hard work. He agreed with the previous speakers and said he supports proposed **Amendment 9**, which would not only be beneficial for his property, but for the entire community. He

said he serves on the Shoreline South County YMCA Board, and he expressed his belief that the amendment would fit in with the direction he sees the City going in the area where the new YMCA building is being constructed.

There was no one else in the audience who expressed a desire to address the Commission during this portion of the hearing.

Presentation of Final Staff Recommendation

Mr. Szafran said that, with the additional changes identified in the Staff Report, staff recommends approval of the three amendments. He noted that **Amendment 16**, Section 20.80.330(A) Required Buffer Areas, was also withdrawn pending further review by the City Attorney.

Final Questions by the Commission and Commission Deliberation

COMMISSIONER HARRIS MOVED THAT THE COMMISSION ACCEPT STAFF'S RECOMMENDATION TO APPROVE AMENDMENT 9. COMMISSIONER WAGNER SECONDED THE MOTION.

Commissioner Hall raised questions about the public process that is used for legislative amendments to the development code.

Mr. Tovar explained the process and stated that the public does not generally pay a lot of attention to legislative notices and do not typically get engaged in the process until a specific project has been proposed. He suggested it would be appropriate for the Commission to consider, at some point in the future, the type of public involvement that should occur for legislative actions and when it should take place.

Commissioner Hall stated that it is important to hear from members of the public regarding legislative proposals. He said he appreciates the staff's revision of the proposal so that it no longer applies to only one land owner with potential for redevelopment in the near future.

Mr. Tovar suggested that if the City is going to make an aggressive attempt to update the Comprehensive Plan on a sub-area or neighborhood plan basis, it will be important to enhance opportunities for public involvement. This could occur through direct communication with neighborhood associations, posting sign boards, etc.

THE MOTION CARRIED 7-1, WITH COMMISSIONER HALL VOTING IN OPPOSITION.

COMMISSIONER HALL MOVED THAT THE COMMISSION ACCEPT AMENDMENT 13 AS REVISED BY STAFF. COMMISSIONER BROILI SECONDED THE MOTION.

Commissioner Wagner recalled a previous discussion in support of shared driveways between closely situated homes. Staff's recommendation to put a fence between the two properties would be

counterintuitive to utilizing this area as shared space. Also, from a logistics perspective, she said she is not comfortable with requiring a 6-foot fence along a driveway. Mr. Szafran pointed out that adjacent property owners could still request a driveway easement that is shared by both. The amendment would only apply to driveways that are located solely on one piece of property.

Commissioner Pyle asked if a property owner subject to a code enforcement action would be required to take down the fence adjacent to a driveway. Mr. Szafran said the fence would be subject to code enforcement, but the City would not know about the situation unless neighbors were to file a complaint.

Commissioner Broili suggested that instead of a 6-foot fence, perhaps a landscape barrier should be required. Mr. Cohn said the intent was to require an opaque screening. If this could be achieved through landscaping, the purpose would be served. Commissioner Broili suggested the language be changed to reflect that rather than a fence, a visual barrier must be achieved.

Commissioner Harris expressed his belief that the original amendment occurred about five years ago as a reaction to a few projects, and the problem was not wide-spread. He pointed out that sometimes a driveway can provide more open space, as a setback, than the actual required setback for a 2-story house would.

Commissioner Pyle suggested that instead of a fence, perhaps the amendment could require a recorded agreement between the two property owners. Mr. Szafran pointed out that the City Council discussed their concern that adjacent neighbors should not have the ability to veto development plans.

COMMISSIONER HALL WITHDREW HIS MOTION. COMMISSIONER BROILI WITHDREW HIS SECOND, AS WELL.

COMMISSIONER HALL MOVED THAT THE COMMISSION ACCEPT STAFF'S ORIGINAL RECOMMENDED TEXT FOR AMENDMENT 13. COMMISSIONER PHISUTHIKUL SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

Commissioner Hall noted that staff addressed the concerns he raised at the last meeting about possible loopholes associated with **Amendment 14**. Therefore, the further amended language proposed by staff would not be necessary.

COMMISSIONER HALL MOVED THAT THE COMMISSION ACCEPT AMENDMENT 14 AS ORIGINALLY PROPOSED BY STAFF. COMMISSIONER PHISUTHIKUL SECONDED THE MOTION.

Commissioner Pyle expressed his opposition to **Amendment 14**. He pointed out that a property owner who wants to replace an existing single-family home would be required to provide frontage improvements. However, **Amendment 14** would exempt built out subdivisions from this same requirement. He expressed his belief that the two situations should be treated the same, since the need for frontage improvements appears to be created by development activity.

Commissioner Hall pointed out that regardless of the impact a subdivision might have, it creates value, and there are opportunities for the City to capture some of that value. If we believe that improving street frontages with curbs and gutters is an important goal for the community, then we should not exempt subdivisions from this requirement.

Commissioner Broili said he would be opposed to requiring all residential redevelopment to provide street frontage improvements. He noted that there are no sidewalks on his street, and he felt the property owners would be opposed to having them. Mr. Szafran pointed out that in these situations, the City could charge an in-lieu-of fee to pay for sidewalks somewhere else.

Closure of the Public Hearing

Chair Piro closed the public hearing.

COMMISSIONER HALL WITHDREW HIS MOTION TO APPROVE AMENDMENT 14. COMMISSIONER PHISUTHIKUL, THE SECONDER OF THE MOTION, AGREED.

COMMISSIONER PYLE MOVED THAT THE COMMISSION DENY APPROVAL OF AMENDMENT 14. COMMISSIONER BROILI SECONDED THE MOTION.

Commissioner Wagner questioned if the Commission wanted to send **Amendment 14** back to the staff for additional consideration of the points raised by Commissioner Pyle. The Commission agreed that unless the problem resurfaces, there would be no need for staff to bring the amendment back to the Commission for additional consideration.

THE MOTION TO DENY THE AMENDMENT CARRIED 7-1, WITH COMMISSIONER HARRIS VOTING IN OPPOSITION.

Mr. Cohn advised that staff would prepare a report to identify the Commission's recommendation on each amendment. This report would be sent to the Chair and Vice Chair of the Commission for review before it is forwarded to the City Council.

REPORTS OF COMMITTEES AND COMMISSIONERS

Commissioner Hall expressed his belief that the joint City Council/Planning Commission Meeting went well, and he encouraged those who were unable to attend to review the recording of the meeting. Chair Piro thanked Commissioner Hall for his leadership at the joint meeting.

Chair Piro reported on his attendance at the recent American Planning Association (APA) Conference. He advised that they were able to tour different areas in Philadelphia and learn about their challenges and plans for revitalizing the city. They have an impressive public transit system. He reported that the keynote speaker at the event was Robert Kennedy, Jr., and he spoke about environmental challenges that exist throughout the country. The theme for the conference centered on global warming and climate

change, and many of the sessions were devoted to these issues. He said he would share his notes with the staff and the Commissioners.

Chair Piro advised that he is chair elect for one of the APA divisions that had been working to develop a policy piece on how to advance different models of cooperative planning. The APA has indicated that this is important, but it should be put aside for a time while they work on the issues of environment and global warming.

Mr. Tovar agreed that the focus of the conference was sustainability. At one session, the presenter pointed out that of the 51 ways to save the planet, local governments should be paying attention to at least 14 of them. It is likely that many of these ideas will be considered as part of future discussions on City Council Goal 6 – creating a sustainable community. He advised that the City has ordered audio recordings of some of the APA sessions.

Mr. Tovar advised that he participated on two panels. One was titled, “Ballot Boxes Run Amuck,” and it included a representative from Arizona where their property measure passed and a representative from California where it was narrowly defeated. He noted that the Washington State Legislative Session that is about to conclude included two bills that either passed or are near passing to address some of the fairness issues that drove much of the anxiety related to Initiative 933. At the next meeting, he offered to present a summary of the bills that were passed by the State Legislation that affect planning issues.

Mr. Tovar reported that Mark Hinshaw provided a presentation titled, “True Urbanism.” The presentation was based on his new book. Staff plans to summarize his comments and those of other speakers in the Speaker Series and have a discussion with the Commission at some point in the future. Many of his points will have an impact on discussions the Commission will engage in throughout the year.

UNFINISHED BUSINESS

There were no unfinished business items to discuss during this portion of the meeting.

NEW BUSINESS

Study Session: Strategic Points for Town Center Projects

Mr. Tovar advised that Mr. Cohen has been invited to review the overall work program and present the draft Strategic Points for the Town Center Projects. He cautioned that the Strategic Points represent guidelines or principles the City Council might want to consider as they move into detailed decisions on these projects. He noted that the Strategic Points would be published on the City’s website. In addition, an article would be published in *CURRENTS* inviting the public to a community workshop with the Planning Commission on May 10th.

Mr. Cohen referred to the draft Strategic Points, which are intended to pull the four Town Center public projects together. While the City Council looked at the document a few weeks ago, they asked staff to

present it to the Planning Commission for review and a recommendation for the City Council's approval on May 29th. Staff anticipates the Commission would be able to provide a recommendation to the City Council soon after the public workshop session on May 10th.

Mr. Cohen reviewed a map of the four Town Center Projects that the Strategic Points are intended to address. The goal is for the four projects to work together to become a more cohesive Town Center area. Mr. Tovar emphasized that the Strategic Points should not be considered regulation or comprehensive plan requirements. When drafting the Strategic Points, staff's goal was to provide enough direction to be useful but with enough generality to allow the City Council discretion when making project decisions.

Commissioner Wagner suggested it might be helpful to avoid the term "Town Center" since it has historically caused concern amongst some in the community. Mr. Tovar agreed that some of the City Council members expressed some concern about the term in that it could give the impression that Shoreline's Town Center would be similar to other Town Center Projects, such as the one in Redmond. One City Council member also expressed concern that "Town Center" tends to describe a retail development, which is not descriptive of the four projects that are being proposed by the City of Shoreline. Mr. Tovar said it is important to distinguish between the Central Shoreline Subarea Plan and the four Town Center Projects. Chair Piro pointed out that the term "Town Center" is becoming a working part of growth management planning in the region.

Mr. Cohen reviewed each of the Strategic Points as follows:

1. In the design and furnishing of the four Town Center Projects, seek ways to create a sense of place and civic identity in Central Shoreline.
2. Identify and incorporate "green infrastructure" principles and features.
3. Identify and incorporate appropriate historic features and interpretation opportunities.
4. Identify and incorporate distinctive architectural patterns found in the Central Shoreline Area, including building forms that create human scale and visual interest, roof shapes that evoke the City's residential character, and building materials used in nearby public buildings such as the Museum and Fire Station.
5. Explore ways to overcome the barrier that Midvale creates between the City Hall and the Interurban Trail.
6. Do not open Stone Avenue North through North 175th Street.
7. Provide visual and function linkage between bus rapid transit stops in Aurora and other Town Center Projects.
8. Work with Seattle City Light to develop a Heritage Park concept that balances City and community goals with Seattle City Light needs.
9. Consider design treatments to tie together, visually and functionally, the public spaces of the City Hall and Heritage Park projects.
10. Create a walkable Central Shoreline area, with an emphasis on safety, convenience and connectivity.

Mr. Tovar referred to **Point 8** and explained that in a recent discussion with Public Work staff, it was noted that a significant portion of the property identified for Heritage Park is owned by Seattle City

Light. This strategic point was recently added to make it clear that anything that takes place within the Seattle City Light easement must be approved by them.

Mr. Tovar referred to **Point 4** and explained that this strategic point was changed since the draft points were reviewed by the Commission and City Council. The idea is the same, but language was added to clarify the architectural patterns and building forms found in the Central Shoreline area. He noted that Shoreline is largely residential, and this would play a large part in determining design for public buildings.

Vice Chair Kuboi suggested that consideration be given to encouraging weekend and evening activities in the area.

Commissioner Pyle asked if the Strategic Points would pertain to the entire Aurora Avenue North Project and Interurban Trail. Mr. Tovar answered that the Strategic Points are intended to apply to the segment of Aurora Avenue North between 175th and 185th Streets, as well as the other three capital projects that are currently being planned by the City. Commissioner Pyle recommended the City establish clear boundaries for which the Strategic Points would be applied. Mr. Tovar advised that clear boundaries would be established for the Central Shoreline Subarea Plan, which includes both public and private lands. However, he cautioned against drawing a boundary around the Town Center Project area. He explained that while the Strategic Points focus on the City's four capital projects at this time, the City Council could decide to apply some or all of them to the Central Shoreline Subarea Plan properties, as well.

Commissioner Phisuthikul referred to **Point 1** and suggested it be changed to read, "In the design and furnishing of the four Town Center Projects, seek ways to create a sense of place, community gathering spaces, and civic identify in Central Shoreline." The Commission agreed that would be an appropriate change since it would address Vice Chair Kuboi's earlier comment about evening and weekend activities.

Chair Piro referred to Commissioner Pyle's earlier comment about the boundaries of the Town Center Project. He suggested they should consider connections to the west, as well (i.e. school, museum, etc.).

Commissioner Broili referred to Commissioner Wagner's concern about the term "Town Center." He suggested that development of the Town Center Projects, may cause businesses to crop up in the vicinity resulting a City Center from a commercial sense as well as a governmental sense. He urged the City to look further down the road to consider the long-range impacts of the four capital projects to the surrounding area. Mr. Tovar agreed. He said that when the Commission considers the Central Shoreline Subarea Plan, they would talk about the types of private uses that would complement the public uses.

Commissioner Hall referred to the additional language that was added to **Point 4**. While he understands the staff's intent, he would prefer a simple phrase that the "City should consider the visual context in all elements of the project." He cautioned that it is important to focus on policies and issues of public interest in order to capture the support of the citizens.

Vice Chair Kuboi referenced **Point 4**. While he agreed with the sentiment of the new language, he cautioned against using the museum and fire station as examples. Although both are functional facilities that serve their purpose well, neither one represent architecture that should be used as a basis for future development. Mr. Tovar noted that these two buildings were identified as examples of the type of building materials that should be used (i.e. brick). He agreed that perhaps this reference could be rolled into a new point that addresses Commissioner Piro's recommendation to consider connections to the west.

Vice Chair Kuboi also expressed his belief that the concrete used for the gateway signs does not fit the character of Shoreline. He urged the City to steer away from this type of design as part of the Town Center Project. Mr. Tovar said it would be appropriate for the City Council to give guidance to the design team if they don't want to see a lot of raw concrete on the building surface. Vice Chair Kuboi said he would not be opposed to an unfinished concrete finish. Mr. Tovar suggested that perhaps a new point should be created indicating the need to pay careful attention to materials.

Commissioner Harris agreed with Vice Chair Kuboi and expressed his belief that Shoreline has very little architecture that should be emulated or copied. The Town Center Project presents an opportunity to start over with some creative architecture. However, they should also address the need for low-maintenance design elements.

Commissioner Hall pointed out that because the City does not have a design review board, the Planning Director has the discretion, under City code, to refer applications to the Planning Commission if he determines they would benefit from design review. Because of the sensitive nature of the Town Center Projects, he suggested it might be appropriate to recommend the Commission have an opportunity to review the design plans. This could also relieve the City staff of some of the pressures of being both the applicant and the permit reviewer. Mr. Tovar agreed the Commission could make this suggestion as a process recommendation to the City Council.

Commissioner Broili recommended that the design team include those who would be involved in the building's maintenance, operations, landscaping, etc.

Mr. Cohen said staff would incorporate the Commission's comments into a new draft of the Strategic Points. The document would be presented for discussion at a public workshop before the Commission on May 10th. Any additional comments should be provided to staff by April 25th. He said it is staff's intent to present the Commission's recommendation to the City Council on May 29th.

ANNOUNCEMENTS

No announcements were made during this portion of the meeting.

AGENDA FOR NEXT MEETING

Chair Piro briefly reviewed the agenda for the May meetings. The Commission asked staff to email them a reminder a few days before the special meeting on May 10th.

Commissioner Wagner asked how the City would advertise the special workshop session that is scheduled for May 10th. Mr. Tovar said the special workshop session would be advertised in the next edition of *CURRENTS*, which the Commissioners should have received in their mail envelopes.

ADJOURNMENT

The meeting was adjourned at 9:18 p.m.

Rocky Piro
Chair, Planning Commission

Jessica Simulcik Smith
Clerk, Planning Commission