

CITY OF SHORELINE

SHORELINE PLANNING COMMISSION SUMMARY MINUTES OF REGULAR MEETING

December 1, 2005
7:00 P.M.

Shoreline Conference Center
Rainier Room

PRESENT

Chair Harris
Commissioner Hall
Commissioner Kuboi
Commissioner McClelland
Commissioner Sands

STAFF PRESENT

Joe Tovar, Director, Planning & Development Services
Rachael Markle, Assistant Director, Planning & Development Services
Steve Szafran, Planner II, Planning & Development Services
Jessica Simulcik Smith, Planning Commission Clerk
Dave Buchan, Capital Projects Manager
Jerry Ernst, Consultant, Ernst & Associates

ABSENT

Vice Chair Piro
Commissioner MacCully
Commissioner Broili
Commissioner Phisuthikul

CALL TO ORDER

The regular meeting was called to order at 7:07 p.m. by Chair Harris, who presided.

ROLL CALL

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

APPROVAL OF AGENDA

The agenda was approved as proposed.

DIRECTOR'S REPORT

Mr. Tovar referred to the joint Planning Commission/City Council Cottage Housing Community Dialogue that was recently held and reported that 6 City Council Members, 5 Planning Commissioners,

and about 40 citizens were present. He suggested that the Commission recap the discussion that took place at the forum when they review their work plan for 2006 later on the agenda.

Mr. Tovar reported that the City is in the process of re-advertising the Planner III Position in various publications. They hope to have the position filled in early January.

APPROVAL OF MINUTES

The minutes of November 17, 2005 were approved as amended.

GENERAL PUBLIC COMMENT

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

REPORTS OF COMMITTEES AND COMMISSIONERS

There were no reports from committees or Commissioners.

STAFF REPORTS

Update on Richmond Beach Saltwater Park Master Plan

Mr. Buchan advised that he is the project manager for the Richmond Beach Saltwater Park Master Plan. He advised that Hewitt Architects was selected as the Architectural Consulting Firm and Jerry Ernst is the leader of the design team.

Mr. Buchan advised that Richmond Beach Saltwater Park is a magnificent City resource and offers some of the best vistas in the region. However, there is a serious problem with invasive species that are growing rampant in the park, and the City must take action to control this situation. In addition, he provided an aerial photograph depicting the problems that exist with erosion as a result of poor drainage control. He explained that the intent of the project is to create a master plan that provides a long-term guide for resolving the problems at this site in the years ahead.

Mr. Buchan reported that the design team started their work on the master plan in September, and over the last five or six weeks they have conducted a thorough analysis of existing soil conditions, vegetation, utilities on site, grade issues, drainage situations, potential for new improvements, etc. He invited Mr. Ernst to come forward and provide an update on the status of the master plan effort and the product that would likely emerge from the planning process to guide future development and management of this wonderful park resource.

Mr. Ernst briefly identified the members of the design team and provided a brief review of some of the team's preliminary findings. He explained that the purpose of the process is to obtain a clear understanding of what exists on the site, what the potential is for the site, and what some of the

problems are. They will use this analysis, as well as interviews with key residents and stakeholders in the area, as a basis for developing some alternatives for the Commission to consider in the future. The master plan process would include a public review and an opportunity for community members to provide feedback. At some point, the City must choose a direction for the future so that the master plan can be fully developed.

Mr. Ernst emphasized that they are not the kind of team that comes in with a preconception of their own ideas of what should occur on a site. Instead, they try to find out what the citizens want. From their interviews, they have learned that people love to use the park, and they do not want a lot of changes. Therefore, the team will recommend some enhancement steps to deal with the problems that have been raised. Their ultimate goal is to create a park that is more useable for the public.

Mr. Ernst referred the Commission to a drawing of the visual survey that he and the landscape architect created to show what is currently on the site. He pointed out that the bowl was created by gravel and sand extraction from the site almost 100 years ago, so most of the vegetation on the site is not natural in the sense that it was always there. In fact, he said it would be difficult to reestablish the natural vegetation now because all the top soil has been removed, thus exposing the underlying sand and gravel. Not even the scotch broom and blackberries have thrived in this location because of the existing soil conditions.

Mr. Ernst advised that there are a series of steep slopes on the site, with terraced areas that contain scruffy underbrush and trees. In these locations there is potential for some type of enhanced landscaping that would accommodate some kind of use. The same is true for the area next to the parking lot. Although it is not the most stable area, some additional facilities or activities could probably be located there. He said he does not envision any changes to the existing roadway other than to address drainage issues. He noted that the bridge only has five or ten more years of life, so the master plan should consider whether the bridge should be replaced in the same location or moved somewhere else.

Mr. Ernst explained that Burlington Northern Santa Fe Railroad has a 250-foot right-of-way through the park, and the master plan should address the future of this space. Obviously, the City would not want people to be able to get from the park to the tracks and vice versa. He provided a diagram illustrating the steep slopes and soil conditions that exist on site and a diagram of the existing utilities. He also provided a map showing the vegetation communities on the site and noted that there are very few that involve true native species. He said the design team still must discuss if they want to replace the non-native species.

Mr. Ernst advised that a summary report would be provided to the Commission within a few weeks, and then the design team would begin the next phase of the work after the first of the year. He summarized that to this point, the design team has done background and research to understand what they are dealing with, what the history has been, what the issues on site are, and the results of the telephone interviews with stakeholders and residents in the community. This work will help them shape the public process that should launch in January. They hope to have a summary set of recommendations for a long-range master plan for the park by mid summer, with City Council adoption of the master plan in the fall.

Commissioner Kuboi inquired if a general mechanism for funding would be included in the master plan. Mr. Ernst said there has been some discussion about potential funding measures in the future to carry out the improvements, and the design team would identify cost ranges for the proposed capital improvements and prioritize them. But the timeline for the improvements have not been identified in the City's capital budget.

Commissioner Kuboi asked what role the Parks Board would play in the master plan process. Mr. Ernst answered that they have already provided an update report to the Parks Board, and the design team would continue to provide updates to them as the project moves forward. The purpose of the update before the Planning Commission is to provide them with enough information so that they can address questions that come from citizens.

Commissioner Sands asked if the ultimate master plan would be driven by a budget of some kind. Mr. Ernst answered that he believes a master plan should identify what ought to occur on a site and then prioritize each improvement. The vision must be put in writing first. Once the citizens have had an opportunity to express their desires for the park, their comments could guide the priorities for the capital improvement program.

Commissioner Sands requested more information about how the design team reached the consensus that no significant changes would be made to the park. Mr. Ernst said the public process would bring forward the concerns and hopes of the citizens regarding the future use of the park. They have heard a wide range of ideas from more significant to less significant. Hopefully, the team can develop a set of principles to guide the ultimate choices that are made for the master plan.

Chair Harris recalled that King County completed a master plan for Saltwater Park 12 or 15 years ago, and he was involved the process. Phase 3 of that plan identified more vegetation and more hiking trails along the banks, etc. He asked what happened to the old plan. Mr. Ernst said the old plan would be used by the design team as background material.

Commissioner Hall referred to the inventory of current conditions, which focuses a lot on the ecology of the slopes, etc. He noted that there was not a lot of focus on the existing facilities such as picnic tables, bathrooms, playfields, etc. He asked that the design team also review the condition of the existing facilities and identify deficiencies and future improvements that should be made.

Commissioner McClelland said it would be important for the design team to include children in their interviews, since the park is widely used by teenagers and children. Children see things that adults don't always notice. She pointed out that the park is used from dawn until dark, when the caretaker of the park runs everyone off. She suggested the design team consider the possibility of changing the slope from the parking lot to the bridge, since it is too steep and slick for older citizens. In addition, it would be helpful to provide more parking for people who visit the park to watch the sunset. She concluded by stating that the beach, in its primitive state, is wonderful, and she doesn't want the master plan to "fix" the park in such a way that it becomes unnatural.

Commissioner Kuboi asked if improvements to the park were identified as a need in the citizen survey. Mr. Buchan said that Saltwater Park was specifically called out as a concern in the survey. Commissioner Kuboi asked if it would be easier for the City to obtain grant funding for park projects if they have a master plan in place. Mr. Buchan said that, from a planning perspective, having a master plan that lays out some overall principles and priorities for the site would be helpful.

Mr. Buchan encouraged all of the Commissioners to participate in the public process that takes place as the master plan is developed.

PUBLIC COMMENT

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

UNFINISHED BUSINESS

There was no unfinished business scheduled on the agenda.

NEW BUSINESS

Discussion of 2006 Work Program

Mr. Tovar referred the Commission to the list of possible work program items the Commission could consider for future discussion in 2006. He asked that the Commission start their discussion by reviewing the community dialogue that recently took place regarding the issue of cottage housing.

Chair Harris said he was surprised at the small turn out of citizens at the community dialogue, and he wondered why some of the most vocal citizens on this issue didn't bother to attend the meeting. Commissioner McClelland said she felt the meeting went well, but it was inappropriate for Mr. Soules to be the focal point. If he is looked to as a leader, then perhaps the City should ask him to provide some professional analysis about why the City's ordinance is not resulting in the desired end product. She said she does not believe that many citizens grasp the real intent of cottage housing. It is not intended to be multi-family housing.

Mr. Tovar agreed with Commissioner McClelland that people are characterizing cottage housing into something it is not. Cottage housing is intended to be a form of single-family housing. Although it is typically less costly than other forms of single-family housing, it would probably not be considered affordable. He said the issue should not really be about meeting the targets identified in the Growth Management Act, either. The issue should be about demographics, meeting the needs of the citizens and providing housing options. Cottage housing is not the only approach, but should be part of a broader housing inventory and assessment of the City's future needs.

Mr. Tovar asked that the Commission provide guidance regarding how they want him to frame his presentation to the City Council to clearly relay the Commission's recommendation regarding the

cottage housing issue. He suggested that this be done before the City Council makes a decision on whether to adopt the recommended changes to the Cottage Housing Ordinance or not.

Commissioner Kuboi pointed out that the City of Kirkland has a rigorous process for evaluating the quality of cottage housing projects that are proposed. However, the City of Shoreline's proposed process would only involve a review by staff. If the City does end up retaining some type of Cottage Housing Ordinance, they must provide a more rigorous design review process to place the burden of quality on the shoulders of the applicant.

Commissioner Hall noted that the Commission already wrote a memorandum to the City Council, after months of debate, stating their consensus that the City would benefit from a comprehensive housing strategy, with cottage housing as one component. He said he would be opposed to the Commission having any further debate about cottage housing until it could be addressed as part of a comprehensive housing strategy. As part of their discussion regarding a comprehensive housing strategy, the Commission could discuss cottage housing, as well as the role of condominiums, town homes, zoning and density bonuses.

Mr. Tovar pointed out that when the City Council discusses the issue of cottage housing, they can already refer to the report that was provide by the Commission, as well as the record that was established. However, if they do decide to eliminate the cottage housing ordinance, there are different ways to accomplish it. They may want to revisit the issue again as part of an overall housing strategy after they see what happens in other jurisdictions. He cautioned that if the City Council were to abolish cottage housing as a permitted use, they would be doing everyone a disservice to say the subject would never be raised again.

Chair Harris suggested that demographics in the City would have to change before the citizens would be ready to accept the concept of cottage housing. Eliminating the ordinance now would not prohibit the City from considering the option again in the future if appropriate. The Commission agreed they would be willing to consider cottage housing in 2006 as part of a discussion regarding housing strategies.

Commissioner McClelland pointed out that those Commissioners who voted to rescind the Cottage Housing Ordinance did not necessarily intend to abolish it forever. The intent was that rather than fix the existing ordinance, they should start over. She further pointed out that other Commissioners expressed concern that if the ordinance were rescinded, cottage housing would never be brought up again as an option for the City. She agreed that the Commission is burned out on discussing the issue, and it is time for the City Council to decide how they want to move forward. If the Cottage Housing Ordinance is rescinded, the Commission could move right into a discussion on housing strategies.

Mr. Tovar explained that he has the responsibility of conveying the Commission's thoughts and desires to the City Council. He is also responsible for helping them focus on their concerns and potential solutions and providing clarification to make them comfortable enough to adopt the Commission's recommendation. The City Council might want to tweak the Commission's recommendation. But if they make major changes, they would have to send it back to the Commission for more hearings and

another recommendation. The Commission agreed that they have provided the best information possible to the Council.

In answer to Commissioner Kuboi's previous question, Mr. Tovar explained that design review is done differently depending on the location, the project, and the criteria. He said that if the City wants a certain kind of a design outcome, whether the use be commercial, mixed-use, or multi-family, the regulations must be clearly illustrated and use more form based language than just stating that the design should be harmonious. In the past, this type of vague and general language has been found to be unconstitutional by the courts. In order to have development that is harmonious, they must illustrate what that means and codify appropriate standards. They must also provide clear direction and criteria to staff, since they are responsible for administering the standards. If the criteria are too vague, it invites decisions that are not harmonious.

Commissioner McClelland said she is not in favor of a lot of design review and standards since they can be problematic. Instead, she suggested the City create a series of performance standards, and if an application cannot meet the standards it cannot be approved. She suggested that there is a misconception that design standards would be the equivalent of the neighborhood being able to design the project, and that is not really how a design board would operate.

Mr. Tovar expressed his belief that design is important, and there are ways to encourage, if not require, better design that is closer to the City's vision for different kinds of uses and developments. The need for good design does not just apply to residential properties, but also to commercial and mixed use properties. The regulations should be designed to result in the City's desired outcome. He summarized that he is interested in the design approach and philosophy and would likely present it to the Commission in different ways as part of future staff recommendations on various issues.

Ms. Markle referred to the list of possible work plan items and noted that the first item on the list is to support economic development initiatives. She informed the Commission that Tom Boydell, the City's Economic Development Manager, is looking for assistance and planning perspective as part of potential sub area development. Mr. Tovar said that Mr. Boydell has talked with representatives from the University of Washington regarding the possibility of utilizing students to conduct charettes for small neighborhood business districts. Mr. Tovar said that he also talked with another professor at the University of Washington regarding a class of graduate students who have a two-quarter sequence where they must enter into arrangements with local governments to work on planning issues of different kinds. He said he has been considering how the City of Shoreline could utilize the services offered by these students.

Commissioner Sands pointed out that the Economic Development Task Force has come up with a final proposal that would be submitted to the City Council for review and approval in January. He said the task force, made up of about 15 people representing various entities within the community, has looked at the plan already and will review it again in its final form. The hope is that when it is presented to the City Council, it will have the support of all the major groups in the City. He particularly pointed out that the Chamber of Commerce has already reviewed the report in great detail and approved it without any changes.

Commissioner Sands explained that one of the concepts within the Economic Development Plan is that there are small areas within the community that can be redeveloped. Perhaps it would be appropriate to have the university students help the City conduct a charette similar to what occurred with the sub area plans. The Planning Commission could be involved in the process of amending the Comprehensive Plan and Development Code to identify economic development zones where a developer would not have to go through the same approval process as he would if he were outside of this zone. This would make it easier for people to get their projects done.

Mr. Tovar pointed out that there are no items identified on the Commission's January 5th agenda, but they could continue their discussion on the work program for 2006. He suggested that the Commission invite Dick Deal to their January 5th meeting to speak to them regarding the Urban Forestry Initiative. They could also invite a representative from the University of Washington to discuss the type of service their students are capable of providing to the City. He pointed out that because there would be two or three new City Council Members, the City Council would have to sort through their priorities as a group. He said it is staff's hope that after the Commission completes their discussion, they would have enough information to transmit a recommended work program to the City Council on behalf of the Commission.

Commissioner Kuboi pointed out that a number of Commissioners would conclude their terms of appointment at the end of March. Therefore, the makeup of the Commission could also change significantly. He reminded the Commission that they already have a lot of unfinished business, without having to bring up new stuff. He asked that "sub area plan assessment" be added to the list of possible work items for 2006. He noted that the Central Shoreline Sub Area Plan was put on the backburner, and the City missed a significant window of opportunity. Now they have a very generic strip mall that does not meet the intent outlined in the sub area plan. They spent a lot of time discussing ideas for the Central Shoreline Sub Area Plan, but it was never implemented. He concluded by stating that if the sub area plans are not going to be used by the City, they shouldn't spend the money on them or they should adjust the end product so that it is something the City can use. The Commission agreed that they should assess the sub area planning process and determine what went wrong in previous efforts.

Commissioner Hall agreed with Commissioner Kuboi. While he would love to work on sub area planning along with economic development, it is hard for him to muster the necessary energy unless the Commission feels the City Council is committed to actually adopting a framework for which any future development in that area must fit. With the last sub area planning effort the City Council decided they didn't want to make the plan mandatory. He suggested that the Commission offer the concept of sub area planning as part of their work plan and see what reaction they get from the City Council. He concluded that he would not support the expenditure of a significant amount of time and money unless the City Council indicates they are really interested in making a commitment to implement the plans.

Commissioner Sands pointed out that about 60 percent of the properties within the Central Shoreline Sub Area Plan are still available for development or redeveloped. If the City were to proceed with the necessary infrastructure to make the plan work, the end product would still be a worthwhile pursuit.

However, there must be some teeth in the City's ordinance to require future developers to follow the plan.

Commissioner McClelland said the Commission must find some way to accept what happened with the Gateway Project and move on. She suggested that they spend the month of January conducting an analysis of what is taking place as far as economic development in the City and what needs to be done. She expressed her concern that while other cities along the corridor are doing exciting things, the City of Shoreline is missing opportunity after opportunity.

Mr. Tovar asked if the Commission has ever had a joint meeting with the City Council. Chair Harris said the Commission did meet with the City Council last year, but these meetings are not held on any regular basis. Mr. Tovar suggested that a joint meeting would be appropriate at least twice a year. The Commissioners agreed this would be helpful.

Chair Harris asked if any large projects are scheduled to come before the Commission for review during 2006. Ms. Markle answered that the Commission's 2006 work schedule would include a review of a special use permit application from Shoreline Community College, a few rezone applications with site-specific Comprehensive Plan amendments, and the tree issue, etc. Ms. Markle was asked for an update on the Echo Lake project, she noted the City has only issued a demolition permit for the trailer park.

Again, Mr. Tovar suggested that the best way for the Commission to relay their concerns and receive specific feedback from the City Council would be to meet jointly with them. Commissioner Hall said it would also be helpful to participate in a joint Planning Commission/Staff retreat, similar to the one they conducted last year. He recalled that at the last retreat, the Commission expressed a concern that they did not always feel a complete sense of follow through after they acted on issues. For example, when the Planning Commission recommended the vacation of Midvale Avenue for the Gateway Project, they posed quite a list of conditions. However, it is not clear to him that the conditions were included as part of the plan. While there could be a good reason for this, they were never informed as to the reason why. Another example would be the zero lot line townhouse development on 15th Avenue just north of Perkins. While the Shoreline Municipal Code clearly states that the units must face the street, the entire project was built on a rockery, which was different than the plans that were provided for the Commission's review. Both of these situations illustrate the need for the Commission to meet both with the City Council and the staff.

Commissioner Kuboi said that the Commission often notices projects that appear differently than how they would have expected them to. He noted that the direction the Commission passes on to the City Council is just a recommendation, and many things happen between the Planning Commission recommendation and the finished project. He suggested that this could be a result of lack of understanding of the Commission's intent. Perhaps one work item for 2006 would be to help the Commission figure out how to relay their recommendations more clearly.

Mr. Tovar pointed out that because many of the key staff people who work with the Planning Commission are new, it would be helpful to conduct some type of meeting or fieldtrip with both the staff and the Commission. The Commission could nominate projects that turned out differently than the

Commission anticipated. The staff could prepare an analysis of what the Commission saw, what they approved, what the conditions were, why the conditions were changed, etc. The Commission agreed this would be helpful. However, Commissioner Kuboi pointed out that development is market driven, and he would like to have a better understanding of the various forces that impact the outcome of the Commission's visions.

Commissioner Hall summarized that the Commission would be in favor of meeting twice a year with the City Council, as well as meeting with key staff members in a retreat setting. In addition, they could invite professionals to talk about commercial real estate developments and economic trends in the north Seattle sub region, as well as residential real estate development trends. Once the Commission has a better understanding of the market forces, they would be better equipped to deal with sub area planning efforts. Commissioner Kuboi recalled that he previously requested that the City's Economic Development Manager attend a future Commission meeting to discuss issues related to economic development.

Commissioner McClelland suggested it would be helpful for the City to organize a summit type meeting and invite representatives from the school district, the City of Shoreline, Shoreline Community College, the Chamber of Commerce, etc. Representatives from the Parks Board, Planning Commission and City Council could be invited to participate, as well. The purpose of the summit would be to review the current vision for the City and determine what they have achieved, what still must be done, and whether the vision should be changed.

Mr. Tovar said that since three out of the seven City Council Members would be new starting in January, it would be appropriate for them to review the City's current vision. They could also discuss whether or not progress is being made, and if not, why. This same issue could be discussed in a joint City Council/Planning Commission meeting. Commissioner McClelland summarized that the Commission feels a sense of failure as far as the Gateway Project, and they wonder how they could have more influence on the outcome.

Commissioner Hall referred back to the list that was provided by staff of program ideas for 2006. He noted that Item IV.C (quasi-judicial training), Item IV.E (advantages and disadvantages of scheduling and advertising a public hearing before SEPA appeal deadline expires), Item IV.H (joint meeting with the Parks Board), Item IV.I (letter of transmittal to City Council), and Item IV.K (revisit Council's 2004-2005 goal to involve more citizens) and Item V.A (elected official training on planning related issues) are all procedural issues related to how the Commission functions as a body. He suggested that they cover these procedural items early in 2006. In addition to the procedural issues, Commissioner Hall recalled that the Commission previously made a commitment to consider three issues in 2006: a more comprehensive housing strategy, the Department of Ecology's Wetlands Manual and wetland buffers, and the current vision of Shoreline. He concluded by pointing out that the remaining items are more substantive issues. Mr. Tovar agreed with Commissioner Hall that the Commission should identify work items they can work on in January prior to getting direction from the City Council on the more substantive issues.

Commissioner Kuboi pointed out that the Commission has not yet identified what their next step would be in dealing with the issue of “sidewalks to no where.” Commissioner Hall recalled that they previously provided direction to the Public Works Department Staff. Commissioner Kuboi agreed, but noted that it was not included on the list of possible work items for 2006. In addition, Commissioner Kuboi said he would like the Commission to access whether or not they need to do a better job of citizen outreach. Lastly, he suggested the Commission have some discussion about whether or not they want to deal with the issue of larger new homes being redeveloped in Richmond Beach that block views and are out of scale with adjacent properties.

Commissioner Sands suggested that issues related to the Fircrest and Point Wells properties should also be identified as a possible 2006 work items. He pointed out that Fircrest has been discussed as an opportunity for economic development, and at some point, the City must deal with the issue. He suggested that it is up to the City Council to create an economic vision for the City, and perhaps the Commission could be involved in this process. Everything that is done in the future related to economic development should be consistent with the City Council’s vision for the City.

Mr. Tovar summarized that the Commission feels that some of the issues identified on the 2006 work plan should be discussed with the City Council for additional direction. He suggested that staff provide a rough schedule at the January 5th meeting to show when major events they already know about will occur. The Commission could also discuss some of the procedural items on the 2006 work plan list in January and February while they are waiting for further direction from the City Council regarding the other items.

Ms. Markle asked what information the Commission expects staff to provide when they discuss the issue of quasi-judicial training. Commissioner Hall pointed out that on two separate occasions, Mr. Derdowski accused the Commission of violating the standards and practices of the quasi-judicial proceedings. His first issue was related to time limit differences for proponents and opponents. Mr. Derdowski also raised an issue about ex parte communications. Commissioner Hall suggested it would be helpful to have staff provide clear information on the record so that all Commissioners understand the rules and procedures for quasi-judicial hearings.

Ms. Simulcik Smith noted that terms expire on March 31, 2006 for Commissioner Sands, Commissioner Kuboi, Commissioner MacCully and Vice Chair Piro. However, all of them could request an opportunity to be reappointed. Ms. Markle said that Commissioners interested in reappointment should reapply by the end of January. All of the applications would be forwarded to the City Council, and they choose who they want to interview and appoint.

AGENDA FOR NEXT MEETING

The December 15, 2005 meeting was cancelled.

ADJOURNMENT

The meeting adjourned at 9:15 p.m.

David Harris
Chair, Planning Commission

Jessica Simulcik Smith
Clerk, Planning Commission