

DRAFT
CITY OF SHORELINE

SHORELINE PLANNING COMMISSION
MINUTES OF PUBLIC HEARING MEETING

October 3, 2019
7:00 P.M.

Shoreline City Hall
Council Chamber

Commissioners Present

Chair Montero
Vice Chair Mork
Commissioner Davis
Commissioner Lin
Commissioner Malek

Staff Present

Nora Gierloff, Planning Manager, Planning and Community Development
Steve Szafran, Senior Planner, Planning and Community Development
Catie Lee, Associate Planner
Carla Hoekzema, Planning Commission Clerk

Commissioners Absent

Commissioner Craft
Commissioner Maul

CALL TO ORDER

Chair Montero called the public hearing meeting of the Shoreline Planning Commission to order at 7:00 p.m.

ROLL CALL

Upon roll call by Ms. Hoekzema the following Commissioners were present: Chair Montero, Vice Chair Mork, and Commissioners Davis, Lin and Malek. Commissioners Craft and Maul were absent.

APPROVAL OF AGENDA

The agenda was accepted as presented.

APPROVAL OF MINUTES

The minutes of September 5, 2019 were approved as presented.

GENERAL PUBLIC COMMENT

Joseph Irons, Shoreline, reported that just two days ago, the City issued a State Environmental Policy Act (SEPA) Determination of Nonsignificance for the 2019 Comprehensive Plan amendments. The determination was late, and he asked that the Commission not penalize the applicants of the amendments

by delaying the public hearing. He said he and his wife are unavailable on the new hearing dates of October 17th or November 7th. They arranged their schedule to be present and fully involved in the process, as the amendment affects them personally, as well as the lives of their employees, many of whom are Shoreline residents. He recalled that, on August 9th, Mr. Szafran identified October 3rd as the date of the public hearing and advised that applicants would have 10 minutes to present. He asked that he and his wife have an opportunity to present their arguments in support of the proposed amendment at the public hearing that they actually paid for. He stressed that it is imperative that he and his wife attend the public hearing and requested that the public hearing be moved to a date they can present at, even if it requires moving the amendment to the 2020 Docket.

Mr. Irons commented that the City seems to be sending the message that it doesn't support small businesses. His proposed amendment would actually support small business, and the City and Planning Commission should take a stance of support since it directly aligns with the City Council's Goal 1, Points 2 through 5. Contrary to what a few opponents alleged, the City led him to believe his business was operating legally and conforming all these years. They have jumped through every hoop, and having the goalpost moved now is unfair. They don't want the application to result in a procedural error, but they want an opportunity to present the facts, with their attorney present. He said his office is mixed use, with residential use on top of commercial use. The City does not support that, yet they have allowed many existing buildings in the North City Business District to be replaced with large apartment buildings with little green space, little parking, and no commercial on the ground floor. He suggested that the City reevaluate its position. He said he intends to submit a much larger packet, including a number of support letters and comments they have received to date.

Melissa Irons, Shoreline, said that, as business owners, she and her husband feel they have been misled by the City staff. She referred to Customer Response Memorandum (CRM) 55276 and reviewed that, on May 14, 2014, someone contacted the City to report: *"There is a home business at 1510 NE 170th Street, with three commercial trucks and 11 vehicles parked in the neighborhood that belong to employees or customers. There is a sign at the business that reserves two parking places for customers. This is an R-8 zone. Do they have a variance to have this type of business?"* On July 8, 2014, Randy Olan, City of Shoreline, stated in the CRM that he, *"Spoke with a customer (complainant), explaining that the only issue we were enforcing at the time was parking. The customer confirmed it was much better, and I told her to call me directly if there's changes. I also told her that, since the business has been there since 2008 and was next to other commercial uses, we are not enforcing zoning at this time. But if the site continues to be an issue, we've been told we would proceed with enforcement action."* She also referred to an email from Laurie Jennings dated July 23, 2014 (CRM 1800729), which reads: *"They recently submitted a permit application for a reroof of their property. When the fire department was reviewing the permit, they asked whether or not it should be treated as a commercial space in regards to fire suppression. This is what brought their still present violation to our attention."* She pointed out that there are no words of violation in the May 2014 or July 2014 reports.

Ms. Irons explained that Iron's Brothers Construction and their family is cohesive. Wherever they operate, they will take their values and community efforts and continue to make a positive impact. The company is a vital employer in the City. They were asked to complete the application process by the City of Shoreline less than one year ago. They have done so without any resistance, having met all timelines and committed to paying all financial obligations. This is a very large burden for them, and rejecting the

application would not solve the situation. The application has created animosity between the business community and residential community. The Commission's role, in representing the City, is to create synergy between both and achieve the best for all.

PUBLIC HEARING: TOWNHOUSE DESIGN STANDARDS CODE UPDATE

Ms. Lee reviewed that staff conducted research earlier in the year, looking at the zoning code of 22 jurisdictions in the Pacific Northwest to determine which ones had design standards specific to the townhouse building type. From January to June, staff held nine meetings with internal and external stakeholders. An online visual preference survey was conducted in April, and 534 responses were received. A public workshop was held on August 1st, with 10 community members participating and providing feedback on the proposed code. The Commission conducted a study session on August 1st, where a number of concerns were raised. On September 5th, staff presented a number of options for addressing the concerns raised at the August 1st public workshop and Commission meeting. Tonight's meeting is a public hearing on the proposed code update.

Ms. Lee explained that the City is experiencing increasing demand for the townhouse housing style since the adoption of the Mixed Use Residential (MUR) 35' and 45' zoning in the 185th and 145th Station areas in 2015 and 2016. The City's current design standards for townhouses are better suited for apartment buildings. While the increase in new townhouses constructed helps to expand housing choice within the City, it is important that the developments be appropriately designed to ensure they are functional and yield quality townhouse developments that add value to the community. She reviewed that the proposed Townhouse Standards include:

- Additional definitions for site and building design features (balcony, fenestration, entry, street wall, etc.), which are terms used in the proposed regulations.
- Requirements to enhance how townhomes look from the street by requiring a percentage of all units to face the street, minimizing the visual impact of on-site paving, and adding landscaping to facades.
- More thorough requirements for solid waste collection.
- Requirements for outdoor space and landscaping. Currently, apartment development in any of the zones requires landscaping along the perimeter of the property, but there is no such regulation for townhouses.

Ms. Lee summarized that all of the updates, as directed by the Planning Commission at the September 5th meeting, have been incorporated into the draft standards attached to the Staff Report (Attachment A). As a result of ongoing staff discussions, some additional changes were made. Most are minor clarifications, but two are more notable:

- The September 5th draft said that pedestrian access could be right next to vehicular access, but it had to be raised or otherwise separated by a building or landscaping. Because having a 20-foot access drive with a 4-foot walkway next to it would result in a lot of hardscape, staff is proposing to remove the word "raised" so that the pedestrian access has to either be separated by landscaping or located on the other side of the access drive, separated by a building.

- As proposed on September 5th, developments with 10 or more units would have to meet private street standards. The private street standards in the Engineering Development Manual require a minimum 20-foot access drive and 5-foot sidewalk next to it that has to be raised and no landscaping would be required in between. Staff is now proposing to change the language so that both single family attached and mixed single family attached developments would have to meet the multifamily access type, which means they would only have to have a 20-foot-wide access drive, and the pedestrian access would have to be separated with landscaping or be on the other side of the building away from the vehicle access.

Ms. Lee recalled that, at the September 5th meeting, the Commission raised the issue of fire sprinkling for townhouses. She explained that the International Fire Code requires fire sprinklers on all buildings over 4,800 square feet, and it may even be required on buildings under that threshold based on fire flow and hydrant distance. The City has had a Fire Impact Fee since 2018, and the 2019 rate is \$2,187. If a developer voluntarily installs sprinklers, the fee can be reduced to \$1,530 (30% less). According to the Fire Department staff, fire sprinkler systems cost about \$1.35 per square feet to install. If you come in just under the 4,800 threshold, installing the fire sprinkler would cost approximately \$6,478.

Ms. Lee said that if the Commission formulates a regulation following the public hearing, the next step would be a City Council study session on November 25th. Potential adoption is scheduled for December 9th.

Peter Bocek, Seattle, said he is an architect based in Seattle. His firm currently has four clients who are developing projects in the City of Shoreline, for a total of about 150 units. The projects are in various stages of planning/design/permitting now. Approximately 80 of these units will be townhouse projects, and most are in the MUR-35' zone on mid-block single parcels. He noted that he previously submitted comments for the Commission's consideration.

Mr. Bocek applauded the Commission and Planning staff. From an architect's standpoint, there aren't a lot of design standards for townhomes, and there should be. He is happy to see that changes are being proposed. However, he is concerned about potential impacts. If the standards are adopted as currently proposed, the density will decrease. In addition, the time the development community will take to build out housing in the MUR-35' and MUR-45' zones will increase and costs will go up. It will require the assembly of lots to create viable developments. Lastly, the proposed amendments would change the nature of the developers who are doing the work now. For example, three of his four Shoreline clients are small, local developers who have been doing this type of work for a long time. He voiced concern that, if the standards are adopted as proposed, developers would be limited to fewer units, and projects may no longer make sense. The smaller developers will exit, and the regional and national developers will build Shoreline's housing.

Mr. Bocek referred to the proposed requirement that 40% of a development's units must face the street, which would be difficult to make work. This would be especially true for single parcels, where the other requirements would result in a decrease in density. He commented that there may be some single lots that, because of their size and dimension, it may not be possible to achieve the required minimum density of 12 dwelling units per acre.

Mr. Bocek also referred to the proposed turnaround requirement for access driveways that are more than 150 feet long measured from the curb line. He voiced concern that this requirement would eliminate at least two units. He noted that the other comments he provided in his written submittal are generally dimensional suggestions that are intended to provide flexibility. For example, the idea of requiring weather protection is good, but the size is bigger than it needs to be.

Tam Dang, Mukilteo, said he represents the vast majority of homeowners in Shoreline, particularly those in the MUR-35' and MUR-45' zones. He said he has owned his 8,000-square-foot property (60' wide by 130' deep) in the MUR-45' zone since 1997 and it is currently developed with a 1,000-square-foot bungalow. He voiced concern that the proposed standards (i.e. 30% frontage and 20-foot driveway) are too rigid and will make redeveloping his property at its highest and best use financially unfeasible. Instead, the proposed standards will result in large developers assembling properties to develop large apartment complexes. He also voiced concern about the proposed requirement that projects include at least four units.

Mr. Dang observed that most of the current homeowners in the MUR-35' and MUR-45' zones aren't doing any improvements at all. They are hoping a large investor will purchase their properties, and there is no incentive for them to do anything. He suggested it will take at least a decade for things to turn around, and he hopes the Commission reconsiders the proposed standards to give some flexibility to current property owners, architects and developers.

The Commissioners deliberated and took action on the proposed amendments outlined in Attachment A as follows:

- **SMC 20.20 – Definitions, SMC 20.30.410 – Preliminary Subdivision Review Procedures and Criteria, and SMC 20.50.020(1) – Dimension and Density Table for Residential Zones**

VICE CHAIR MORK MOVED THAT THE COMMISSION FORWARD THE PROPOSED CHANGES TO SMC 20.20 (DEFINITIONS), SMC 20.30.410 (PRELIMINARY SUBDIVISION REVIEW PROCEDURES AND CRITERIA) AND SMC 20.50.020(1) (DIMENSION AND DENSITY TABLE FOR RESIDENTIAL ZONES) TO THE CITY COUNCIL WITH A RECOMMENDATION OF APPROVAL AS PRESENTED. COMMISSIONER MALEK SECONDED THE MOTION, WHICH CARRIED UNANIMOUSLY.

SMC 20.50.040 – Setbacks – Designation and Measurement

Ms. Lee summarized that the only changes in this section are to clarify that balconies are allowed to project 5 feet into the required setback and that eaves on single family attached and mixed single family attached developments may encroach up to 18 inches into a required setback.

Commissioner Malek asked if “fireplace structures” refers to the bump outs for fireplaces on the exterior of buildings, and Ms. Lee answered affirmatively. Commissioner Malek noted that, as proposed, only two fireplace bump outs would be allowed per façade. Ms. Lee clarified that the limit of two would only apply to fireplace structures that project into a setback.

Vice Chair Mork summarized that, as proposed, only two bay windows and/or fireplaces per façade could project into a required setback. Ms. Lee commented that the requirement would primarily apply on the front setback of townhouse developments. The side and rear setbacks are typically 5 feet, which doesn't allow these types of structures to encroach. Vice Chair Mork asked how the provision would be applied to a zero-lot-line situation. Ms. Lee answered that nothing would be allowed to project into the right-of-way. Commissioner Davis added that the building would have to be setback, and then any number of projections would be allowed as long as they fall within the lot line boundaries.

Vice Chair Mork asked how the provision would apply to side setbacks. Ms. Lee explained that most of the time, the side and rear setbacks will be 5 feet, and the City allows very few things to project into these areas. For the most part, the provision will apply to lots in MUR zones where there is a 10-foot front setback. The provision would also apply to MUR-zoned properties located next to an R-6 zone, where projects of three units or more will require a 15-foot rear setback.

Vice Chair Mork asked staff to explain its rationale for the provision, and Ms. Lee answered that it would allow more flexibility. She explained that the provision is already in the code, and the proposed change simply clarifies that balconies are another type of structure that should be allowed to project into the setback. Commissioner Davis said her understanding is that the provision discourages developers from developing buildings within the setbacks. Setbacks are for the purpose of creating a buffer between neighboring properties and sidewalks.

CHAIR MALEK MOVED THAT THE COMMISSION FORWARD THE PROPOSED CHANGES TO SMC 20.50.040 (SETBACKS – DESIGNATION AND MEASUREMENT) TO THE CITY COUNCIL WITH A RECOMMENDATION OF APPROVAL AS PRESENTED. COMMISSIONER DAVIS SECONDED THE MOTION, WHICH CARRIED UNANIMOUSLY.

Subchapter 3 – Single Family Attached Residential Design

Commissioner Malek observed that it is clear that leaving the design standards up to developers is inadequate, and the finished products have not set the stage for better, more attractive housing stock that has a community feel. However, he found the two options offered by staff at the September 5th meeting to be distasteful. To his thinking, leaving the code so stringent and requiring investors to purchase more than one lot to accomplish an attractive and fully-functioning townhouse project disenfranchises the current owners who pursued them with the understanding they could build under a different design code. He said he has been approached by members of the community, including some builders, who have voiced concern about the disenfranchisement of interior lot holders. For example, what happens if a property owner is not ready to move and sell his/her property, but the people on either side are? He agreed that the issue requires further study to come up with creative solutions that will result in a more positive outcome. However, he is concerned about continuing with the limited design standards until the City completes its Missing Middle Analysis next year and can offer better solutions. He suggested they discuss creative solutions that might offer a compromise and result in a more positive outcome rather than a continuation of the type of development that diminishes the overall housing stock and makes purchasing some of the adjacent lots less desirable. The standards need to allow for development to move forward and properties to be sold in real time without burdening property owners by requiring them to wait.

Vice Chair Mork recalled that staff presented three options for addressing concerns related to the requirement that at least 40% of the units within a development to be oriented towards the street (**SMC 20.50.160(C)**). Ms. Lee reviewed that **Option 1** was to keep the original 40% language, but add an exception that on lots 60 feet wide or less, only 30% of the units would have to be located within the front property line in a 25-foot distance. **Option 2** was to rewrite the provision entirely to move away from a percentage requirement and simply state that for buildings where there is not an access drive for vehicles, the rest of the lot frontage has to be filled with buildings. **Option 3** was to keep the original 40% requirement.

Vice Chair Mork agreed that what they have now is not good enough, and the goal is to figure out a compromise that provides flexibility. She said she would support allowing the Director discretion to alter the requirement on a case-by-case basis and come up with a different solution. Commissioner Malek said they need to bridge the gap between what they have now, which is unacceptable, and what they want to get to, which they haven't yet found. He said it seems appropriate to give the Director autonomy to deliberate on interior lots to come up with sensible solutions. However, they should avoid creating an "exception" burden by providing at least some framework by which she can base her decision. He said he would support Option 1.

Ms. Lee explained that, per Option 2, development on a single, midblock would likely end up as perpendicular-oriented buildings. However, the other standards that are proposed in the amendments would make the buildings look more interesting, with entryways facing out to the street. Developers who are able to assemble lots will have more flexibility to orient several of the front doors towards the street. She summarized that Option 2 is intended to provide some flexibility for single, midblock lots.

Ms. Lee explained that the Missing Middle Analysis that is scheduled for next year will contemplate ways to increase density in single family zones beyond just single-family homes (accessory dwelling units, cottage-style development, triplexes, etc.) The study will not focus on townhouses in the MUR zones.

Ms. Lee acknowledged that the 40% requirement (Option 3) could lead to a number of outcomes, some of which were addressed in the public comments. You could end up with developments with fewer units (less density) and skinnier units, and it would encourage lot assemblage. She presented three drawings to illustrate how the provision could be applied on a variety of lot sizes.

Commissioner Davis said it appears that most of the concern is related to lots that are 60 feet wide, where the 40% requirement (Option 3) would reduce the number of units from three to two. Three units would be possible if the requirement were reduced to 30% (Option 1). The 40% requirement would not impact the number of units that could be built on a 70-foot-wide lot. She said it doesn't seem reasonable to force a 60-foot-wide lot to develop with just two units, leaving a large space in the back that is undevelopable. On the other hand, she wants to prevent the development of side-facing townhouses. She recommended Option 1, but change the exception to apply to lots that are less than 70 feet wide.

Commissioner Lin asked if there is any scenario where a 60-foot-wide lot could develop with skinny townhouses and still fit three units on the site using the 40% requirement. Ms. Lee answered that they would have to be really skinny to get two units up front and one in the back.

Ms. Lee pointed out that the scenario provided for Option 1 is for detached single family homes, which are not allowed in the MUR-45' zone. The exception would only apply in the MUR-35' zone and other zones that allow single family detached and single family attached development. An applicant in the MUR-45' zone would have to apply for administrative design review for a departure from the standard, and the end result might be similar to the scenario provided for Option 2.

Commissioner Malek voiced concern that the 40% requirement is substantial, given that it would significantly impact density. He said he is not happy with the type of development that has occurred thus far, and he likes the idea of a design standards. However, he suggested that they use a phased approach, starting with standards related to design aesthetics (landscaping at the perimeter, garden walls, activating the streetscape with glazing and entryways, etc.) as an interim step (Phase 1). The more exaggerated changes could be held off until Phases 2 and 3.

Vice Chair Mork commented that, if the Commission adopts a phased approach, developers will likely build five buildings in a row, with only the front building facing the street. Ms. Gierloff pointed out that five units could only be accommodated on lots that are 70 feet wide and greater. Four units might be possible on a 60-foot-wide lot. Commissioner Malek commented that reducing the number of units that can be built on a property from five to four or from four to three is unfair, especially in a declining market where people have been purchasing properties at a premium over the past three years and have made plans based on a higher density. The City gave them the impression that the greater density would be allowed based on the MUR zoning. However, he is not in favor of letting townhouse development go forward unchecked. He suggested they could remedy that with Option 2 for MUR-35' along with the same perimeter landscaping requirements that apply in the higher densities. Additional standards could be considered as part of Phases 2 and 3.

Commissioner Lin asked if it is possible to adopt language to limit the possibility of single lots developing with a building orientation that is perpendicular to the frontage. Commissioner Davis said she would support language that prevents side-oriented buildings facing the street. Even with fenestration on the side, side-facing buildings are not pedestrian friendly and do not result in walkable street frontages.

Commissioner Davis summarized that rewriting Option 1 would have to include a provision that prevents sideways buildings along the street front, which appears to be feasible on a 60-foot-wide lot using a narrow townhouse design. Ms. Lee agreed that would work for the MUR-35' zone. However, applying Option 1 in the MUR-45' zone would result in fewer units or assembled lots because the MUR-45' zone doesn't allow detached single-family units.

Commissioner Malek agreed that side facing buildings are not the most attractive. However, the MUR-45' zone is intended for higher density, and the City should make a good-faith effort towards achieving that. If all a developer can do in the MUR-45' zone is turn the buildings sideways, it should be allowed on an interim basis while the City figures out a better solution as part of Phase 2 or Phase 3. He recommended that Phase 1 include some aesthetic design standards to improve the appearance of townhouse development without becoming too heavy handed. The idea of compensating for less density by building units that are more luxurious is infeasible. It also is inconsistent with the City's goal of increasing density within a half mile walkshed of the light rail stations.

Vice Chair Mork asked if the maximum density could be created on narrow lots in the MUR-45' zone via accessory dwelling units. Ms. Lee responded that the City allows one accessory dwelling unit on every lot in the City, and they are not subject to density standards. Vice Chair Mork noted that an accessory dwelling unit requires that a property owner must live on the site. She asked if it would be possible to construct two 4-story buildings in the MUR-45' zone and then rent out half of each of the buildings, resulting in essentially four residential units. Ms. Lee said that a stacked development is called an "apartment" and would be allowed as long as there was enough space to accommodate the required parking.

Commissioner Davis asked if the language could be adjusted to allow a single-family unit to be constructed at the front of a narrow lot in the MUR-45' zone. Ms. Lee said the use table would have to be changed to allow single family detached development.

Commissioner Malek suggested the Commission recommend a phased approach that runs simultaneously with the adopted phased approach for MUR zoning. Phase 1 could include Option 2 for **SMC 20.50.160(C)**, with additional landscaping requirements as called out in Chapter 7 of the Shoreline Municipal Code (SMC). That would mean that all of the existing permits and all stakeholders who own property can build at least an improved version of what they have seen thus far and still maintain their density, which is critical for them to be solvent. Phase 2 of the MUR zoning will be implemented in 2021, which means the Commission and staff would have an entire year to work on additional design standards concurrent with the work that will be done related to housing options. Additional design standards could also be implemented as part of Phase 3 of the MUR zoning, which is scheduled to occur in 2033.

Vice Chair Mork voiced concern that the properties included in Phase 1 of the MUR zoning would be developed different than the properties included in Phases 2 and 3. She said she appreciates Commissioner Malek's concern for property owners who want to redevelop now, but they must also be concerned for homeowners who live in the area. Commissioner Malek pointed out that redevelopment is already occurring, and some of the recent projects are subpar and discourages redevelopment around them. He suggested that, as they continue to develop language for improved design, perhaps they could offer some incentive for developers to incorporate the improved design standards early.

Vice Chair Mork asked if there is a way to adopt Option 2 and incentivize Option 1. Commissioner Malek suggested the inducement should come after the fact. They should send a clear and unfettered message to the community, and it should be Option 2. He would love to see something better to address sideways building, but he cannot think of how to do that now.

Commissioner Davis agreed that a phased approach is an interesting thought, but a lot of townhouse development has happened in the past year, and she anticipates that there will substantially more moving forward. The City is not happy with the development that has occurred so far. Rather than focusing on building neighborhoods, developers are focusing on getting the maximum density out of each lot to make money. She said she feels a responsibility to the community, particularly the surrounding established neighborhoods, to recommend design guidelines that require change now. The Development Code should be written in a way that creates a stronger fabric from the beginning rather than feeling pressure from property owners who want to redevelop now based on the current code. She voiced concern that postponing the adoption of design guidelines will result in more poor townhouse development.

Vice Chair Mork suggested a compromise that would adopt Option 1 for lots in the MUR-35' zone, with an exception for lots that are less than 70 feet wide, and Option 2 for lots in the MUR-45' zone. Commissioner Malek agreed this would be a better compromise, but he is still concerned that Option 1 would result in a loss of one unit (about \$600,000). He disagreed that developers would be able to raise the price of the three units because they will be more attractive being less dense. While that does work in certain circumstances, he doesn't believe that will be the case in the MUR zones. The idea is also inconsistent with the City's design philosophy, which is to get the most density possible near the station areas.

Commissioner Malek agreed that additional design guidelines are needed to address issues that were not anticipated during Phase 1 of the MUR zoning. He is also concerned about the large number of townhouses that are currently being developed. However, he believes that Option 2 for both MUR-35' and MUR-45' would be the best approach for the time being, with a recommendation that the issue be revisited in preparation for implementation of Phase 2 of the MUR zoning. He explained that Option 2 would avoid injury and/or damage to existing property owners. Any other option would result in property owners inundating the City with legitimate complaints.

Commissioner Davis said she supports Option 1, with modified language for lots less than 70 feet wide, for the MUR-35' zones. This would allow a 60-foot-wide lot to meet the density requirement and accommodate three units. Further, she recommended Option 2 for the MUR-45' zone.

COMMISSIONER MALEK MOVED THAT THE COMMISSION FORWARD THE PROPOSED AMENDMENTS TO SUBCHAPTER 3 TO THE CITY COUNCIL WITH A RECOMMENDATION OF APPROVAL. VICE CHAIR MORK SECONDED THE MOTION.

COMMISSIONER MALEK MOVED TO AMEND THE MOTION TO REPLACE THE LANGUAGE IN SMC 20.50.160(C) WITH THE LANGUAGE CONTAINED IN OPTION 2 OF THE SEPTEMBER 5, 2019 STAFF REPORT. THE LANGUAGE WOULD READ, "*BUILDINGS SHALL BE LOCATED TO CREATE A 'STREET WALL' WHICH ENHANCES THE STREETScape AND OVERALL PEDESTRIAN EXPERIENCE. EXCEPT FOR VEHICULAR ACCESS THAT MEETS THE REQUIREMENTS OF THE ENGINEERING DEVELOPMENT MANUAL AND THE DEVELOPMENT CODE, BUILDINGS SHALL FILL THE LOT FRONTAGE. ALL UNITS WITH FRONTAGE SHALL BE ORIENTED TO THE PUBLIC RIGHT(S)-OF-WAY.*" THE MOTION FAILED FOR LACK OF A SECOND.

COMMISSIONER DAVIS MOVED TO AMEND THE MOTION TO CHANGE SMC 20.50.160(C) TO RETAIN THE EXISTING LANGUAGE FOR ALL APPLICABLE ZONES EXCEPT MUR-45', BUT INCLUDE A 30% EXCEPTION FOR LOTS UP TO 70 FEET WIDE. SHE FURTHER MOVED TO AMEND SMC 20.50.160(C) TO ADOPT OPTION 2 FOR THE MUR-45' ZONE. VICE CHAIR MORK SECONDED THE MOTION TO AMEND.

Commissioner Malek once again voiced concern, noting that the proposed change would apply to a variety of other zones that are designed to be high density. While they don't have a perfect solution for design aesthetics yet, a lot of stakeholders will be facing an economic catastrophe if the amendments are adopted

as proposed. While reducing potential density by one or two lots may seem inconsequential, it represents a substantial loss for some property owners. The entire MUR area is under redevelopment and the Commission's obligation is to the longer-term community. They need to develop design standards that are functional and allow for the higher densities that are anticipated within the half mile walkshed of the stations. The proposed change would not accomplish this goal. He felt that, given time, the Commission could come up with a better solution.

Vice Chair Mork pointed out that the design standards could be updated in the future if the Commission comes up with better solutions. Ms. Lee agreed that the code could be amended at any time and any of the standards could be replaced. She observed that there are hard policy decisions to be made, and there are no perfect solutions.

Ms. Gierloff recalled that the City devoted a good portion of the year to discussing townhouse standards. If the Commission doesn't feel they have it right yet, maybe they aren't ready to move forward. However, she doesn't see the City doing the same amount of effort and outreach next year when there are a lot of other projects on that also have deadlines and need to move forward.

THE MOTION TO AMEND THE MAIN MOTION RELATIVE TO SMC 20.50.160(C) WAS APPROVED 4-1, WITH CHAIR MONTERO, VICE CHAIR MORK AND COMMISSIONERS DAVIS AND LIN VOTING IN FAVOR AND COMMISSIONER MALEK VOTING IN OPPOSITION.

Vice Chair Mork noted that the Commission has heard from architects who have spent time writing detailed comments. She asked what sections of the proposed changes their specific comments were related to. Mr. Szafran advised that the Commission received a comment about **SMC 20.50.160.(D)(2)**, which would require a turnaround facility on lots with dead-end access drives that are 150 feet or more long. Chair Montero said another comment was regarding **SMC 20.50.160(B)(1)**, which requires that each unit must have a covered entry or porch with weather protection with a minimum width of 6 feet and a minimum depth of 4 feet.

Vice Chair Mork recalled that Mr. Bocek has requested that the minimum width of covered entries and porches (**SMC 20.50.160.(D)(2)**), be reduced to 4 feet and the minimum depth to 3 feet. Ms. Lee recalled that the Commission discussed this provision on September 5th and indicated general support for the language as proposed. Commissioner Davis recalled that the Commission discussed that a 6-foot width would be wide enough for two people to stand side-by-side, and reducing the width requirement to 4 feet would only accommodate 1 person. She acknowledged that a 4-foot width is more common in townhouse development, but there may be some drawbacks that are worth considering.

Commissioner Malek commented that the design standards must be future and forward thinking, recognizing that development trends will change. He doesn't like to see elements that are abbreviated and appear as half-hearted gestures. But as long as elements do not detract from other housing stock, he supports allowing developers to build more abbreviated units that sell. He said he would support reducing the size requirements for covered entries and porches. Commissioner Davis said she would also support the reduction, which would still result in useable space.

CHAIR MALEK MOVED TO AMEND THE MAIN MOTION TO CHANGE SMC 20.50.170(B)(1) TO READ, “EACH UNIT SHALL HAVE A COVERED ENTRY OR PORCH WITH WEATHER PROTECTION AT LEAST 20 SQUARE FEET WITH A MINIMUM WIDTH OF FOUR (4) FEET AND A MINIMUM DEPTH OF THREE (3) FEET.” VICE CHAIR MORK SECONDED THE MOTION TO AMEND, WHICH CARRIED UNANIMOUSLY.

Ms. Lee referred to **SMC 20.50.160.(D)(2)** and explained that, for lots that are 150 feet deep or greater, it is important to provide space for emergency and delivery vehicles to turn around. However, Mr. Bocek pointed out that the requirement could result in a loss of one or two units. Vice Chair Mork asked how many properties the provision would apply to, and Ms. Lee said there are a few, but it is not the average lot.

Ms. Lee said the actual dimensions of the required turnaround facility are currently being drawn up by the Public Works Department, but it is accurate that a unit would need to be eliminated to meet the requirement. She advised that a technical drawing, with actual dimensions, will be adopted into the Engineering Development Manual when it is amended in March of 2020, and the draft language refers to the Engineering Development Manual for the dimensional requirements. Chair Montero suggested that rather than establishing a 150-foot threshold, perhaps the provision could refer to the Engineering Development Manual. Ms. Lee responded that the 150-foot threshold was identified by the Fire Department as the appropriate threshold, and Ms. Gierloff emphasized that 150 feet is very standard for fire department requirements across all jurisdictions.

Vice Chair Mork observed that the requirement would only apply to a small percentage of lots. Therefore, she did not feel the change would be warranted or necessary. The remainder of the Commission concurred.

THE MAIN MOTION, AS AMENDED, WAS UNANIMOUSLY APPROVED.

Subchapter 4 – Commercial and Multifamily Zone Design

Ms. Lee explained that Subchapter 3 used to include multifamily zone design. As proposed, multifamily projects would be reviewed under Subchapter 4.

VICE CHAIR MORK MOVED THAT THE COMMISSION FORWARD SUBCHAPTER 4 TO THE CITY COUNCIL WITH A RECOMMENDATION OF APPROVAL AS PRESENTED. COMMISSIONER MALEK SECONDED THE MOTION.

Vice Chair Mork asked if the City received any public comments regarding the proposed amendments to Subchapter 4, and Ms. Lee answered no.

THE MOTION CARRIED UNANIMOUSLY.

Subchapter 7 -- Landscaping

Commissioner Malek recalled his earlier suggestion that the perimeter landscaping that is required in the higher density zones (**SMC 20.50.490(B)**) also be applied to the MUR-35' zone. However, the suggestion was made with the understanding that **SMC 20.50.160(C)** would be amended to apply Option 2 to both the MUR-35' and MUR-45' zones, which would enable developers to obtain the greater density. Because the Commission made a different decision, his earlier suggestion no longer applies.

Commissioner Lin asked how the landscaping requirement would differ between a townhouse development of four units and a 4-unit multifamily development on the same size lots in the MUR-45' zone. Ms. Lee said multifamily development is required to use Type I landscaping when adjacent to a single-family zone and Type II when adjacent to a multifamily zone. The requirement would be the same for single family attached development.

COMMISSIONER LIN MOVED THAT THE COMMISSION FORWARD SUBCHAPTER 7 TO THE CITY COUNCIL WITH A RECOMMENDATION OF APPROVAL AS PRESENTED. VICE CHAIR MORK SECONDED THE MOTION, WHICH CARRIED UNANIMOUSLY.

Chair Montero closed the public hearing.

DIRECTOR'S REPORT

Ms. Gierloff called the Commission's attention to the flyer that was recently put out regarding a discussion in Kenmore on the "missing middle housing," that the Commission may be interested in attending.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

There was no new business.

REPORTS OF COMMITTEES AND COMMISSIONER ANNOUNCEMENTS

Commissioner Malek reported that the draft Interlocal Agreement between the Town of Woodway and the City of Shoreline for the Point Wells Project would put both jurisdictions on the same negotiating platform in hopes of a stronger position when working with the developer, BSRE, in the future. The utility piece will be wrapped up in the broader discussion of the specifics of the Interlocal Agreement.

AGENDA FOR NEXT MEETING

Mr. Szafran reviewed that a public hearing on the Comprehensive Plan amendments is scheduled for October 17th.

ADJOURNMENT

The meeting was adjourned at 9:15 p.m.

William Montero
Chair, Planning Commission

Carla Hoekzema
Clerk, Planning Commission