

APPROVED

**CITY OF EDMONDS
ARCHITECTURAL DESIGN BOARD
*Minutes of Regular Meeting***

December 19, 2012

Chair Gootee called the meeting of the Architectural Design Board to order at 7:00 p.m., at the City Council Chambers, 250 - 5th Avenue North, Edmonds, Washington.

Board Members Present

Bruce O'Neill, Vice Chair
Lois Broadway
Tom Walker
Cary Guenther

Board Members Absent

Bryan Gootee, Chair (excused)
Rick Schaefer (excused)
Michael Mestres (excused)

Staff Present

Kernen Lien, Senior Planner

APPROVAL OF MINUTES

BOARD MEMBER BROADWAY MOVED THAT THE MINUTES OF JUNE 6, 2012 BE APPROVED AS SUBMITTED. BOARD MEMBER WALKER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

APPROVAL OF AGENDA

BOARD MEMBER WALKER MOVED TO APPROVE THE AGENDA AS WRITTEN. BOARD MEMBER BROADWAY SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

REQUESTS FROM THE AUDIENCE:

No one in the audience indicated a desire to address the Board during this portion of the meeting.

CONSENT AGENDA:

There were no items on the consent agenda.

MINOR PROJECTS:

There were no minor projects.

PUBLIC HEARINGS - MAJOR PROJECTS:

File Number PLN20120040: Public hearing on proposed revisions to Point Edwards Building 10 and associated landscaping.

Mr. Lien provided a brief overview of the Point Edwards Development. He explained that, consistent with the Point Edwards Master Plan, a contract rezone for the site was approved in 2002 and identified the upper yard where the Point Edwards Development is located as Master Plan (MP) 1 and the lower yard as MP2. The lower yard is envisioned for

mixed-use development associated with the Edmonds Crossing Project, which has been postponed to a future date. The upper yard was intended to be residential type development with a density of about 419 units. The Point Edwards Development was originally approved in 2003 (File Number ADB-02-226) for 295 residential units. In 2005, the developer approached the ADB with a request to increase the number of units to 350. After an appropriate review process, the request was approved. He recalled that the ADB attached a number of conditions to their original approval, and the applicant is present to specifically discuss the following two conditions:

- Staff shall confirm the landscape plan has not significantly changed from the current proposal or it must return to the Board for final approval.
- Staff shall confirm that the materials and colors used are consistent with the design of the development or they must be brought back to the Board for final approval.

Mr. Lien explained that the surface parking lot associated with Building 10 was originally approved for 27 parking stalls, and the current proposal is for 74. In addition, the proposed landscaping for Building 10 includes a water feature and patio area (east side of Building 10) in a location that was previously designated as a landscaped area. He also advised that the design and materials currently proposed for Building 10 have changed from the original and subsequent ADB approvals. Because the two conditions were given through a public hearing process, the City Attorney felt the proposed changes should be referred back to the ADB for further review and a public hearing.

Mr. Lien said staff feels the landscaping proposed by the applicant is consistent with code requirements. However, they recommend that the landscaping be increased along the rockery that is located on the southern side of the parking area. He provided a picture of the existing rockery, which is about seven feet tall. He noted that there are brambles growing on the top of it. Given that the surface parking area has expanded significantly, staff feels it should be screened better from the residents to the south. However, there are some constraints given that only one foot of property on top of the rockery belongs to the property owner.

Mr. Lien advised that the applicant provided a narrative (Pages 33-35 of Attachment 3) to demonstrate how the proposed Building 10 complies with the design guidelines contained in the City's Comprehensive Plan. He explained that viewing Building 10 as a stand-alone development, it may meet many of the design characteristics identified in the applicant's narrative. However, it is the last building of the Point Edwards Development and should be reviewed in the context of the overall master plan, which has guided development of the site up to this point. He emphasized that Building 10 will crown the Point Edwards Development; it is significantly higher and will stand above the rest of the buildings on the site. Staff believes the building should blend in better with the rest of the development.

Mr. Lien specifically referred to Comprehensive Plan Design Objective C.8.c, which calls out the need to "*retain a connection with the scale and character of the City of Edmonds through the use of similar materials, proportions, forms, masses or building elements.*" He provided elevation drawings to illustrate the significant differences between the design currently being proposed by the applicant and the design most recently approved by the ADB in 2006. He noted that the previously approved Building 10 and other existing Point Edwards residential structures provide both vertical and horizontal modulation with large decks at different elevations. The modulation in the roof is also more pronounced. The current proposal provides some vertical modulation, but it lacks the horizontal modulation and many of the trim features that are included on the existing buildings. He reminded the Board that the MP1 zone has a height limit of 35 feet, with an additional 5-foot height bonus for a modulated roof design. Given the lack of specific guidance in the Development Code and Comprehensive Plan about what a modulated roof design is, staff is seeking input from the Board about whether the proposed roof design has sufficient modulation to warrant the additional five feet in height. While the Staff Report indicates otherwise, the applicant recently submitted new elevations showing how the proposed building would meet the current height standards if the five-foot height bonus is allowed.

Mr. Lien said the City received a number of comments regarding the proposal. Many were provided in the Staff Report, and those that were received after the Staff Report was published were included in the packet the Board received just prior to the meeting. He summarized the comments as follows:

- *Concern was expressed that the proposed design of Building 10 was significantly different in style than the rest of the development.* Mr. Lien said staff generally agrees.
- *Concerns were raised about the number and size of the units proposed for Building 10.* Mr. Lien emphasized that the approved master plan envisions up to 419 units for the Point Edwards Development. The project was ultimately approved for up to 350 units, and 261 units have been developed to date. The proposal would place the remaining 89 units in Building 10. The units would be smaller than the other units on the site, and concern was expressed that this would lead to rental properties rather than condominium ownership. He explained that the City views the development as multi-family, which is a permitted primary use in the MP1 zone. Whether the units are condominiums or apartments, staff believes the proposed 89 units would be consistent with the approved master plan and zoning.
- *People expressed concern about the number of parking spaces provided, particularly with overflow and on-street parking.* Mr. Lien explained that the City's parking standards require 144 off-street parking spaces (see Page 5 of Staff Report), and the applicant's proposal would meet the requirement.
- *A number of people felt the proposed Building 10 is not in keeping with the developer's declaration and offering statements provided when they purchased their units.* Mr. Lien explained that it is not within the City's purview to address this issue.
- *Another item of concern is that the residents associated with a new 89-unit building would overrun the amenities provided at Point Edwards.* Mr. Lien said this issue is also outside the scope of the City's design review. He recalled that there was only one amenity building when the Point Edwards Development was approved in 2003. Since that time, the applicant has added another amenity building for the development.

Based on the analysis and attachments included in the Staff Report, Mr. Lien said staff does not feel the proposed Building 10, as currently designed, is consistent with the height standards established by Edmonds Community Development Code (ECDC) 16.75.020.B or the Urban Design Objectives of the Comprehensive Plan. Staff recommends that the ADB require the applicant to modify the design of Building 10 and address the following issues:

1. The design of Building 10 should be more consistent with the other development approved and constructed at Point Edwards under the Point Edwards Master Plan.
2. Building 10 must be designed to meet the height standards established in ECDC 16.75.020.B.
3. Additional landscaping should be provided along the rockery along the south side of the surface parking lot.

Rick Gifford, 600 Main Street, Suite E, said he has been involved as land-use counsel for the Point Edwards project from its inception more than 10 years ago. He said he appreciates the opportunity to present the proposed building design for 50 Pine Street to the Board for review. He noted that the Point Edwards Development, including Building 10, was first reviewed by the ADB starting in 2002 and approval for the overall project design was issued in 2003. A revised building-specific proposal for 50 Pine Street was presented to the Board and approved in 2006, but the design was never built. They are now presenting a new design proposal for the Board's consideration.

Mr. Gifford said the Staff Report asserts that the ADB's review of the proposal is necessitated by two of the 12 approval conditions the Board issued in their 2003 design approval for the project. The two conditions require additional ADB review if the landscape plan is significantly changed from the current proposal or the materials and colors used in the proposal are inconsistent with the design of the development. He said the Staff Report identifies the increase in surface parking and the addition of the new water feature and patio amenity on the east side of the building as significant

changes to the previously approved landscape plan. As such, further ADB review would be required. Staff has also recommended additional screening along the southern boundary of the property. He said staff found the proposed colors for Building 10 to be consistent with earlier approvals, but they point to changes not only in materials, but other design aspects that are nowhere mentioned in the approval condition. He expressed the applicant's view that the staff has improperly expanded the approval condition to cover changes in general design and not just in materials as the condition actually states. Comments in the Staff Report about the building exterior focused almost entirely on various design aspects other than materials, despite the actual language of the approval condition. He expressed the applicant's position that the Board's review should concentrate on the building materials, admittedly within the context of a more general design assessment. He emphasized that the central issues before the Board are more narrowly drawn under the terms of the referenced conditions, which direct the Board's attention primarily to the changed features of the landscape plan and to the proposed materials and colors for the building.

Mr. Gifford said the Staff Report confirms the design's compliance with all the bulk and use requirements for the MP1 zone (ECDC 16.75), and Mr. Lien has already addressed the applicant's oversight with respect to building height. This error was corrected and new drawings were submitted to verify that the building, as designed, meets the height, bulk and use standards of the MP1 zone. Mr. Gifford reviewed that the Board's evaluation and its authority to condition or deny the proposal are limited by the specified design criteria that are set out in the Development Code and Comprehensive Plan, most particularly those matters enumerated in the two approval conditions relied upon by staff. As correctly noted in the Staff Report's summary of public concerns and staff's comments, the views and considerations that are unrelated to the design criteria and zoning standards are not part of the review.

Mr. Gifford summarized that the proposed 50 Pine Street Building has been shown to meet all of the zoning provisions, subject to the Board's assessment of the modulated roof design. The applicant also believes it satisfies the applicable design guidelines and would be a compatible addition to the Point Edwards community. The applicant understands and appreciates the valid concerns of citizens, including some Point Edwards residents, and acknowledges the oversight role provided by the Board in matters of design. They will listen carefully to all relevant comments and input, and they look forward to successfully completing this important, final component of the Point Edwards Master Plan.

Joe Kolmer, Associate, Weber Thompson, pointed that the proposed design for Building 10 maintains the chevron shape that is found at other Point Edwards buildings. The buildings sit on lots that are bordered by Pine Street, and the south boundary line separates Edmonds and Woodway. He provided a map to identify the footprint of the previously approved Building 10 and explained that the proposed new design would reduce the footprint by 27%. A notch was created at the knuckle where the two wings of the building meet, which helped break up the mass of the building and bring natural daylight into its common areas. Reading areas are provided at each floor level, which take advantage of the view to the north. The previous design incorporated the height bonus, and the proposed building was also designed with the height bonus in mind, as well.

Mr. Kolmer said the design premise is to combine the colors and materials of the residential building with the clean, modern lines of the amenity structures and the homes to the south. He noted that amenity buildings are located on both ends of the site. While they utilize a different architectural style than the residential structures, they were viewed substantially consistent with the Point Edwards Development. The applicant feels it is appropriate to embrace these designs. He noted the green belts that buffer most of the existing development in the Town of Woodway, with the exception of the home to the south where the screening was bolstered.

Mr. Kolmer provided pictures of the existing development on site to illustrate how the redesign would blend in with the Point Edwards Development as a whole. He noted that design cues were taken from the existing residential buildings, while also borrowing the clean, modern lines and fenestration found at the Point Edwards amenity buildings. He provided several images of the proposed design for Building 10 to illustrate how it is consistent with the design guidelines found in the Comprehensive Plan. He specifically noted Guidelines E.1.a (diversity in design), C.8.a (variety in articulation to avoid monotonous forms/0, D.2.b and D.3.a (reduce bulk and mass of buildings at the roof), D.3.d (provide ways for additional light into the building) and E.1.e (individual identity of buildings should be created).

Mr. Kolmer reviewed that the proposed materials would blend with the surrounding environment and offer a distinct design as noted in the design guidelines. The fiber cement and lap siding that is used on other buildings in the Point Edwards Development would also be used on Building 10. Metal siding would be used instead of cedar shake siding. The bays articulate the façade and extend above the roof line to provide modulation. Building 10 would lack the heavy cornice and ornamentation and cedar shakes that were popular in the 90's, but the colors and materials would be relatively consistent with the surrounding development. A variety of windows would be used to address privacy and views. The expansive windows on the bays would allow natural daylight to penetrate deep into the interior and are typical of luxury residential properties. He said the initial building had two vehicle entrances into the structured parking, and the revised design would remove one. The remaining entrance would be located 25 feet off the sidewalk and screened by the finished grade and landscaping.

Mr. Kolmer provided a view of the proposed building from the northeast and identified the location for the proposed new amenity area that would be located at the east end of the site. The patio area would provide a fire pit and barbecue. He also pointed out the location of the proposed new water feature. Once again, he said the vehicular entrance would be screened by plantings and the finished grade. He said that while the proposed screening for the parking area would exceed the City's requirement, the applicant is willing to work with adjacent property owners to find a balance between views and the screen they are developing.

Mr. Kolmer pointed out that the main building lobby would be located at the center of the structure. Weather protection would be provided, as would translucent treatment to allow additional light into the building. The media and/or party room would be located on the 4th floor. He noted that amenities areas have been created at every level of the building. A drop off area would also be located in front of the main entrance to the building.

Mr. Kolmer provided pictures to illustrate the views from the residential units to the outdoor amenity. He noted that the proposed garden room would utilize a translucent canopy and fully-articulated window walls to create an indoor/outdoor environment. He also provided pictures to illustrate the fitness space, which would utilize the same canopy and window treatments as the garden room for weather protection and light penetration.

Mr. Kolmer provided elevation drawings to illustrate the proposed colors of the building. He said the proposed building height would utilize the 5-foot modulated roof bonus. The number of floors and building height are consistent with the previously approved building design.

Forrest Jammer, Thomas Rengstorf Associates, said he has been the landscape architect for the project from the beginning. He explained that Type V screening is required along the southern edge of the proposed surface parking area. He pointed out that the landscape plan calls for two trees per island in the center areas, as well as single trees around the edges and at the corners. This will help create a mixed appearance. The trees would be positioned in a modulated rather than straight line. The landscaped areas would be fully planted with shrubs, ground cover, and perennials, consistent with those located elsewhere in the Point Edwards Development. He emphasized that the proposed landscaping in the parking area would exceed the code requirement by 437 square feet. About 2,353 square feet of landscaping would be provided for the 74 parking stalls, which equates to just less than 32 square feet of landscaping per stall compared to the City's requirement of 25.9.

Mr. Jammer provided a drawing to illustrate the location of the existing retaining wall and bramble patch, as well as the adjacent residential property. He acknowledged that the parking area backs right up against the rockery, and the applicant is willing to plant as much landscaping as reasonable given the limited space. He noted that a lot of plant materials would simply grow up the wall and would not provide relief for the property owner to the south. He observed that the vegetation is already taller than the 5-foot wall, providing an approximate 12-foot vertical buffer. As pointed out by staff, there is a fairly narrow area for plantings. It is even narrower given the riff raff and backfill that exists behind the rockery. There is not a lot of room for soil, and cutting back any of the existing vegetation would eliminate the existing screen that the south property owner already enjoys. While they can certainly infill with plant materials, he

recommended that the existing landscaping remain in place. He pointed out that the canopy of the existing trees has been lifted substantially to open the views. He cautioned against adding more vertical trees in the area that would eventually block the southern property owner's view. He pointed out that a number of plant materials have been proposed throughout the site to exceed the City's code requirement for landscaping. He acknowledged that the southern property line is a unique situation because it is so tight, and he would like the ADB to take the existing buffer into consideration.

Mr. Jammer said that, as proposed, the amenity space would be expanded to provide more room for outdoor seating, barbecue, fire pit, etc. The applicant believes the proposed design for the amenity area provides a more aesthetic-pleasing and contemporary type of situation that is more enjoyable for the residents. The plant materials proposed in the amenity space would provide additional modulation, be full of color and attract more wildlife.

Mr. Jammer summarized that the proposed landscape plan is very consistent with the existing landscaping on the property. They tried to make sure the proposed new design followed the master plan illustration that was presented at the original Board meeting as closely as possible. The large waves and drifts of plant material flowing through the site reflects the contour as you move up the hill and provides a contrast in color, deciduous and evergreen, height, etc. Overlooks are located throughout the site for people to enjoy the views.

Tor Langasater, Woodway, 21600 Chinook Road, said his home is located kitty-corner to the proposed new development. He expressed concern that the proposed Building 10 is out of character with the other buildings in the Point Edwards Development. He particularly noted that a portion of the building will be five levels, which is taller than any building in downtown Edmonds. He pointed out that this building would stick out given that adjacent single-family properties have a minimum lot requirement of 2 acres. He said his neighbor has this same concern. He asked that the Board consider the character of a 5-story building next to 2-acre, single-family development.

Tom Nichols, 41 Pine Street, Unit 106, Edmonds, said he is a 40-year practicing civil/environmental engineer. He pointed out that the increase in parking would also result in a commensurate increase in heat flow as far as runoff is concerned. While he suspects this issue has been taken into consideration from the standpoint of conveyance via drainage ditches, box culverts, swales, etc., he doubts consideration was given when the site civil was done on the development 10 years ago and the existing stormwater retention pond may be undersized. He briefly explained the rational method civil engineers use to look at stormwater runoff and recommended the Board consider the issue further.

Jeff Yocom, 45 Pine Street, Unit 108, Edmonds, referred to the letter he submitted to the Board dated November 30th. He thanked Mr. Lien for helping him understand, via his presentation, the massive changes to exterior materials and height of the building. He expressed concern about the lack of human scale that would result from a five-story building towering over the sidewalk. He emphasized that all of the changes require ADB approval. He particularly focused on the issue of density and recalled that the Point Edwards Master Plan approved 350 units on a 23 to 24-acre site, and the developer had options as to where to place the units across the site. He suggested that placement of the units must conform to ECDC 20.10. It may not be possible to put 25% of the permitted units on this one remaining lot, which consists of only 10% of the total area. Under ordinary circumstances, the lot could support 38 or 39 units, and the applicant is proposing 89. With 75% of the master plan units now constructed on over 90% of the area, any design changes that were permissible before should be considered in relationship with the existing buildings. While the density might fit what should be allowed in the MP1 zone, the density does not fit in the Point Edwards Development.

Mr. Yocom said that if he understands Mr. Gifford's comments correctly, he would like them to believe that if they previously approved the buildings as a red circle, and they came in with a plan for a blue triangle, the Board is only allowed to look at the color. He said he does not believe this makes sense. All issues should be reviewed for complete adherence, and not just the two conditions recommended by staff for referral.

Ralph Swenson, 45 Pine Street, Unit 205, Edmonds, reminded the Board that since the attorney attempted to use technical reasons to circumvent the consideration of this building, the senior planner has recommended that the plan be

denied. If the proposal is denied, the City would have an opportunity to correct many problems with the building design, which is so different than the existing buildings at Point Edwards. He noted that the applicant's representatives were allowed a significant amount of time to make their presentations, and he hoped the Board would allow sufficient time for members of the audience to have their say, as well. He urged the Board to reject the proposal for Building 10 based on lack of parking on the south side of Pine Street, excessive building height, buildings and patios too close to the sidewalk, no amenity park in the right place, lack of enough underground parking, and lack of consistency with other Point Edwards buildings. He said it is unfair to have only three spaces on the south side of Pine Street compared to 25 on the north. The 25 spaces on the north side are already fully used, and Pine Street is curved, steep and often fast. Building 10 would add 150 to 175 extra cars and people. He noted that the north part of the lot has rows of parking with standard width between. There is no room for wide and long moving trucks to back into the lot without blocking traffic. Building 10 assigned parking should be placed in the third-floor, underground garage, just like other Point Edwards buildings instead of having what looks like a used-car lot in back with lights all night long. This would leave the north parking lot available for moving trucks, deliveries, extra unassigned parking spaces, and a turn around. The south part of the lot needs a sunny, level view park that is assessable to people with disabilities. In addition, 15 feet is needed for recessed parking on the south end of Pine Street. He suggested there is a way to move the lower level to the back of the east end, making the lowest building on level 2 and reduce the height with proper landscaping of the building.

Charles Gold, 75 Pine Street, Unit 303, Edmonds, read a letter he submitted in advance of the hearing requesting that the Board use its office to enforce the original Point Edwards permit documents, along with the agreements and commitments to the City of Edmonds and the purchasers' (now citizens and taxpayers of Edmonds), and not allow the non-conforming and damaging new plan to proceed. Denial of the plan would be in the best interest of the City and all its residents and would reflect the entire purpose of the ADB and the permitting process. If a developer can promise one thing to the City and buyers and then manipulate from high-quality, low-rise, beautifully-landscaped, and maintained condominiums sited in a prominent position with a view of Edmonds to lower-quality, vast and larger, non-conforming, architecturally-unrelated, high-rise apartments with a built-in leasing office, then there is no enforcement of development plans. He said it is not surprising for the full build out of planned communities to take longer than anticipated due to the developer losing financing. However, that does not negate the obligation and premises the developer used to obtain original approval for the site, which was used as representation to perspective buyers and realtors.

Mr. Gold said that, as built so far, the Point Edwards community is an asset to the appearance, desirability, and attractiveness of Edmonds. It presents a high-quality, low-key, low-height, visually-compatible development between Edmonds and Woodway and has only enhanced both communities. The proposed destruction of the plan to make a small amount of one-time developer profit on this final building at the long-term expense of everyone in the area in terms of quality of life, property values, congestion, pressure and infrastructure would be disastrous. He expressed his belief that the ADB would be well within its rights and charge to require the developer to complete what the offering documents promised; a building similar in materials, population density, colors, and style to the rest of the Point Edwards buildings, with underground garages that are not exteriorly illuminated with sodium vapor or other all-night lighting in the middle of a restful and visually-spacious environment that is free of noise and safety issues at present. He added that the proposed outside patio would not use the same materials and would create additional noise.

Mr. Gold said he and a large number of property owners and taxpayers agree with the comments made previously by Mr. Yocom about conflicts with the proposed building compared with the original plan. There is no doubt that the buyers of the Point Edwards Condominiums, who pay a substantial amount of property taxes for the quality of living situation they enjoy, have a major cause against the developer if the proposed plan goes forward. The developer was sued successfully for over \$15 million in repairs for shoddy construction to the Regatta Condominium near Gas Works Park, which just underwent a two-year repair. They do not want this to happen in Edmonds and adjacent to Woodway. Finally, Mr. Gold pointed out that the developer has already settled a legal action by the City of Edmonds for violation during the construction of Point Edwards. That action was necessary to the welfare of Edmonds, and they feel strongly that the current attempt by the same developer to again subvert the prior agreement on the quality of construction at the same development is especially relevant. The success of Point Edwards is closely tied to the success of the current and future properties in Edmonds, particularly those that are highly visible and showcase local Edmonds. He urged the

Board to use its authority as intended to protect the community. Developers must heed their commitments or the review or permitting process becomes irrelevant.

Don Ricker, 51 Pine Street, Unit 308, Edmonds, said he has lived at Point Edwards since January 2006. He referred to the written comments he previously submitted. He reminded the Board of the developers' own words describing their vision regarding the Point Edwards Development. He said the vision is what made he and his wife purchase a home at Point Edwards. It also convinced the previous ADB to sign off on the project. He said when he was looking to purchase his home, he was given the following statement: *"The developer, Point Edwards LLC, has a vision to create this new community of stylish, romantic, condominium homes in a resort-like village atmosphere. Point Edwards LLC directed Weber Thompson Architects, an award-winning Seattle architectural firm, to design up to 350 very special residences that would foster a relaxed and comfortable lifestyle. Point Edwards consists of unique and very livable residences. The homes have both open and spacious floor plans and large windows that welcome light."* He recalled that in March 2005, construction began on Phase 2 of the six phase project. Prices for the homes at that time ranged from \$300,000 to over \$1 million. The ADB will hear a lot tonight about how the size of the building has been reduced, creating a smaller footprint. However, they should keep in mind that the average square footage of units at Point Edwards was 1,230 in 2005. Presently, the average unit size is 1,618 square feet. The average size of the units proposed in the new building is 860 square feet. He questioned how the units could be considered equal and built in the same manner as the original buildings.

Charles Schaaf, 45 Pine Street, Unit 203, Edmonds, agreed with Mr. Yocom's point that the proposal is not consistent with Edmonds Community Development Code (ECDC) 20.10. He said the owner's representatives failed to mention that the new building would be five stories, which would be a massive, towering building that does not belong at Point Edwards. He encouraged members to look uphill from Pine Street towards the development to visualize the nearly 80-foot massive towering structure that is being proposed.

Steve Reibman, 45 Pine Street, Unit 308, Edmonds, commented that the current residents of the Point Edwards Development are very troubled that their neighborhood, which they cherish and take great pride in, would be badly damaged in many ways if the ADB approves the proposal. They must defend their community and property values from this oversized building and the visual blight the structure would present. He said the building is totally out of conformity in its size, design and construction materials with the remaining nine buildings at Point Edwards. It will tower over the surrounding buildings and be a large blemish on the hillside, clearly standing out and very visible from the waterfront area and the Edmonds bowl. Considering the building's appearance, construction materials and size of the living units, it is clear the building is designed as an apartment house and not a condominium building.

Mr. Reibman said he believes the premise of the building, as it is now designed, would have a very significant negative impact on the property values of the 261 Point Edwards condominiums that fit so well into the hillside above the marina and local parks. The proposed 89-units will present parking and traffic issues that concern the residents and should be a concern to the City. If the developer no longer plans to build what was originally intended for the property, regardless of whether or not it is part of the Point Edwards Homeowners' Association, the City should insist that what is built is harmonious in scale and appearance with the surrounding neighborhood and environment. Considering sales in Building 9 and recent resells, it makes no sense that the developer does not feel there is a market for what has come before and what was originally planned. He commented that this is a very serious matter to the residents, and they need the City officials to do what they all know is the right course of action and deny the project in its present form, not just for the Point Edwards community, but for the City of Edmonds, as well.

Kim Walters, 45 Pine Street, Edmonds, said he is a real estate agent. He said the proposed Building 10 looks more like the apartments on SR-104 than the current development at Point Edwards. He questioned why the developer wants to deviate from the design that was originally proposed. Currently, the market has the lowest inventory in six years. From a real estate point of view, there are not a lot of homes on the market. If the developers build a quality product that blends in, they could make a nice profit based on fair market prices. He recalled that when he moved into his home about 1½ years ago, there were about 18 homes on the market at Point Edwards at all times. Now there is one. There is

a market for all prices, and all the developer has to do is make the development blend in with the rest of the units and they will sell. The design, as currently proposed, would devalue the other properties in the development.

Reid Schoenfeld, 41 Pine Street, Unit 105, Edmonds, provided a super-imposed picture to illustrate what the proposed new Building 10 would look like from the ferry loading dock. He also provided a picture to illustrate how the fenestration, glass and steel of the proposed new building are very different than the nine existing buildings. He recalled that, in the past, the ADB's purpose was to make sure the buildings blended with nature and that the planned development was consistent with the environment. It is obvious that the proposed new building would not meet this requirement. Because it sits on top of the hill, everyone in Edmonds would notice it. It will be unsightly.

Floyd Smith, 45 Pine Street, Unit 204, Edmonds, said he has always known that Building 10 would be constructed on the hill, and many of his friends have expressed a desire to purchase a home in the new building, but not an apartment. He said his wife has lived in Edmonds for 61 years, and he for 30 years. He said they are against the proposal for Building 10 on what they consider prime property in Edmonds.

Susan Matheson, 41 Pine Street, Unit 101, Edmonds, expressed concern that three of the seven Board members are absent. She asked if the absent Board Members would be allowed to vote on the final decision. If so, she questioned how the citizens' well-founded concerns would be communicated to them. Mr. Lien explained that four members must be present for the Board to have a quorum. The Board can act on the proposal with just the four members present.

Theresa Jensen, 31 Pine Street, Unit 310, Edmonds, said she was present to speak on behalf of **Christy Cufley, 51 Pine Street, Unit 309, Edmonds,** who is president of the Point Edwards Homeowner's Association. She noted that she and several of the association's board members were present. She said the pictures that have been shown of the proposed project are worth 1,000 words. The proposed design does not even remotely resemble the existing nine buildings. It is a striking and significant departure and clearly resembles a towering, commercial apartment building. The massive structure is completely different in architectural design and out of character with the overall complex. It conflicts with the harmony of the nine existing buildings. The parking lot feature does not exist on the property at this time, which is in response to the City's zoning requirements. The building does not blend into the site environment, nor does it purport to use the same colors or materials. The details and the fenestration do not reflect what is already being used on the site. Even the developer defines the building as having a unique identity.

Ms. Jensen said the proposal has given rise to a number of serious concerns, as stated by a number of owners. They rely on the ADB to assemble and evaluate all of the information presented concerning the construction of Building 10, which is truly an unfortunate situation. The developer transformed an ugly hillside into a lovely, residential community that is now home to approximately 500 taxpaying residents who enhance the economy and contribute to the overall quality of the community. The taxpayers, not the developer, are the constituents. They respectfully submit that the Board's first duty is to fully address the concerns they present and weigh them against and balance them with the appropriate City codes. When the City of Edmonds first granted approval for the project, it did so based on good-faith belief that the developer would create an aesthetically-pleasing and uniform residential community. The approval was conditioned on the developers' representation that there would be a total of 10 structures of like kind and build. The developers were true to their word for nine buildings, but they are deviating drastically and unexpectedly with regard to the last and final building. On behalf of the 500 citizens currently residing at Point Edwards, the Board of the Point Edwards Homeowner's Association strenuously opposes the project as presented thus far and respectfully requests the City to hold the developers to their original representation for consistency in development. They also request that drawings be prepared and submitted that truly reflect the original intent for completion of the project and that are architecturally similar to the existing structures.

David Inadomi, 21603 Chinook Road, Woodway, expressed concern about the proposed parking lot. He said his family moved to the property in 2004 with the understanding that there would be a small parking lot (about 20 stalls). He said the footprint of the parking lot is close to the easement to his property, which creates concern about traffic, noise, general unsightliness and a potential reduction in property values. The existing development at Point Edwards is

attractive and the grounds are well-maintained. The proposed building is of a much larger scale than was originally anticipated.

Jill Ballo, 65 Pine Street, Edmonds, said she has lived in Edmonds for more than 40 years. She said it is important for the Board to not only consider the impact the proposed project would have on the Point Edwards residents but for other residents of Edmonds who live in the bowl area. She said the picture makes it clear that the project would impact more than just the residents of Point Edwards. She recalled that when the Point Edwards project was originally proposed, people living in the bowl were very concerned about what they would see on the hill. She suggested that more of them would be present to comment if they had a clear understanding of what the developer is proposing.

David Huneke, 61 Pine Street, Unit 202, Edmonds, said he has lived in his home for a year. He observed that all those who have participated in the hearing have spoken against the project, and no one has spoken in favor. He asked the Board to take this into consideration.

Bonnie Martin, 41 Pine Street, Edmonds, recalled that citizens have expressed concern about parking, stormwater runoff, and issues related to the proposed structure's lack of similarity with the existing buildings. She said it is also important for the Board to keep in mind that people's lives will be negatively impacted by the proposal. The Board should take note of the overriding impacts to citizens of Edmonds rather than the developer.

Harry Rutledge, 45 Pine Street, Unit 106, Edmonds, agreed with all of the comments made. However, his specific concern is related to the proposed parking. Guest parking on the Point Edwards site is already inadequate, especially around Building 45. The buildings have been developed lot-by-lot with approximately 35 units per building, and a certain amount of guest parking was required. The proposed new building would consist of nearly three times more units, which would triple the guest and visitor parking needs. He expressed concern that parking would spill out all the way down the hill and put pedestrians at risk. He summarized that the parking situation is a critical factor, and he urged the Board to take it into consideration as they come to a decision.

The Board took a 10-minute break at 8:35 p.m. They reconvened the meeting at 8:45 p.m. They invited members of the audience to ask questions of the Board, staff and applicant.

Tom Rwaggener, 65 Pine Street, Unit 103, Edmonds, asked the Board to explain their role in the review process in layman's terms. He also asked them to inform the public of how the process would move forward. Mr. Lien explained that the ADB could make a decision after the public hearing, or they could continue the public hearing to consider new materials. The ADB's decision, whether for approval or denial, could be appealed to the City Council. The City Council would conduct a closed record hearing, based on the information that was submitted to and reviewed by the ADB. Only parties of record can appeal the ADB's decision, which includes the applicant or any members of the public who submitted written or oral comments on the proposal. He reminded those present that the proposal was referred to the ADB because of two specific conditions in the original proposal having to do with landscaping and building design changes. While the applicant's attorney has argued that the Board's review must be limited to materials and colors, the condition also requires that the building to be consistent with the design of the development. Staff believes that review of the proposed building design is within the Board's purview. However, the number of units allowed on the site was previously decided, and the height limit is based on the existing zoning code.

Vice Chair O'Neill said the Board's position is that height, parking and density requirements have been established by code, and the ADB does not have the ability to change the code. The Board's responsibility is to review the quality of the design and its compatibility with the community.

A member of the audience asked if Building 10 would still be considered part of the Point Edwards Development if it is removed from the Point Edwards Homeowner's Association. Would the residents of this new building be allowed to take advantage of all of the amenities that have been provided on the site? Mr. Lien said he has raised this issue to the City Attorney, but he has not yet received clear guidance. At this point in time, staff's position is that Building 10 would

be considered the last of the Point Edwards Development. The Point Edwards Master Plan did not address whether the buildings must be condominiums or apartments. It simply stipulates that the development be multi-family residential. Staff considers Building 10 to be part of the original master plan development.

Rich Pettit, 31 Pine Street, Unit 103, Edmonds, noted that the three-dimensional rendition of the Point Edwards Development on display in the sales office for the past nine years shows all ten buildings with approximately the same scale. He asked why the rendition has not been updated to reflect the developer's current plans. Mr. Gifford emphasized that Building 10 has never been part of the Point Edwards Homeowner's Association (HOA). The developer had the option to have it included in the association. He said he cannot answer why the rendition was never updated. He explained that Building 10 is part of the overall Point Edwards Development that was approved under the master plan. The zoning standards that were approved as part of the master plan apply independently to the project. However, it has always been the developer's option to add the properties to the HOA as they were constructed in phases. Prior to the public hearing, the developer informed the HOA Board that they would not add Building 10 to the HOA. One reason has been concerns conveyed to them by the Board on behalf of residents about overburdening amenities within the existing HOA. Again, he said the building would not be part of the HOA and would not burden the existing amenities, including the second amenity building that was voluntarily constructed by the developer. These facilities will be utilized solely by the residents of Buildings 1 through 9.

Mr. Pettit expressed his belief that Mr. Gifford did not adequately respond to his question. Again, he asked why the rendition on display in the sales office was never updated to identify the changed scale of Building 10. This results in immediate misrepresentation to individuals who come into the sales office. Vice Chair O'Neill cautioned the members of the audience and the applicant's representatives about debating issues during the public hearing. He said it is not the Board's responsibility to mediate between the residents, the HOA and the developer.

Reid Shoenfeld, 41 Pine Street, Unit 105, Edmonds, asked the procedure for changing codes if someone feels the height limit should be limited. He said that in addition to limiting the development to 350 units, the master plan should also address fenestration and underground parking requirements. Mr. Lien said individuals can submit code amendment applications to the Planning Division. Code amendments take time to process, as review and public hearings by both the Planning Board and City Council are required.

A member of the audience asked if it is within the ADB's purview to consider traffic impacts associated with the proposal, which will result in more cars, people, and J-walking on a road that is steep. Mr. Lien said the City assesses traffic impact fees for all new development, including Point Edwards. Vice Chair O'Neill asked if the applicant submitted a traffic mitigation plan for the project. Mr. Lien said a traffic mitigation plan was submitted for the Point Edwards Development, but a separate plan for Building 10 was not required. Board Member Broadway asked if the traffic mitigation plan was updated to address the additional 44 parking stalls the applicant is proposing. Mr. Lien said the traffic impact study was done as part of the initial Point Edwards Master Plan when the developer was requesting 295 units. He said he does not know if the study was updated in 2005 when the number of units was increased to 350. However, the City did conduct a State Environmental Policy Act (SEPA) review, which included an analysis of the traffic impacts associated with the additional units.

Nancy Bittner, 31 Pine Street, Unit 214, Edmonds, asked if the master plan includes just the nine existing buildings or Building 10, as well. If it includes all 10 buildings, she asked why Building 10 has been parceled off as not being part of Point Edwards. Mr. Lien explained that the Point Edwards Development is the implementation of the Point Edwards Master Plan, which was adopted as part of the City's Comprehensive Plan. The master plan resulted in a contract rezone for the Point Edwards site (MP1 and MP2). The Point Edwards residential development is in line with the plan for the upper yard site, and Building 10 has been part of the master plan review throughout the entire process. Mr. Gifford pointed out that the master plan prescribed the number of units allowed, but it did not stipulate the number of buildings that must be constructed. Mr. Lien agreed but added that the number of buildings was prescribed in the original ADB approval of the Point Edwards Development.

Jim Matheson, 41 Pine Street, Unit 101, Edmonds, asked if the developer has consulted with the City of Woodway. Mr. Lien answered that Mayor Nichols has reviewed the proposal and indicated that the Town of Woodway would not submit comments.

A member of the audience asked that the detailed results of the 2005 traffic reevaluation be added to the record. Mr. Lien said the 2005 SEPA report is still on file, and traffic impacts were considered as part of the review. However, he does not know if the traffic impact study was specifically updated at that time.

The applicant did not have any further comments to provide but offered to answer questions of the Board. The public portion of the hearing was closed.

Board Member Broadway asked if the applicant followed the methodology in the zoning code when calculating the average grade and establishing the height of the building. Mr. Kolmer answered affirmatively. He said that when submitting their initial designs for Building 10 six months ago, they were informed that only administrative review would be required. It wasn't until later that staff informed them that ADB review would also be required. He said that two pre-application meetings were conducted, as well. He specifically referred to Page 8 of the application, which describes in detail how height was calculated. Mr. Lien explained that, typically, height is measured from an average grade, which is determined by drawing the smallest rectangle that can fit around the development and averaging the elevation at the four corners. The MP1 zone also allows developers the option of calculating the height rectangle separately for different portions of a building. With the current proposal, the developer elected to use the strategy of drawing the smallest rectangle that would encompass the building and then averaging the grade of the four corners, which is consistent with the code. He noted that the height rectangle also included the underground parking garage, which is consistent with how height was calculated elsewhere in Edmonds.

Board Member Broadway pointed out that Cross Section A on Page 26 of the application extends the site line just beyond the parking. She asked if the applicant also extended the cross section all the way to the rockery, including the hill and the property beyond, to understand what the site line from these properties would be. Mr. Kolmer said the building that was approved in 2006 took these extended cross sections into consideration. Mr. Lien pointed out that the 2006 review was included in the Staff Report as Attachment 6.

Vice Chair O'Neill asked if it would be unfeasible to create a buffer zone between the rockery and the parking area where there is currently no vegetation shown on the plan. Mr. Jammer said there is a narrow profile at the base of the rockery. The applicant is more than willing to consider opportunities to amend the landscape plan to add soil that is suitable for plantings, but the selection of plant materials would be somewhat limited. Larger plant materials would create maintenance concerns and could impact the parking spaces, but plant materials that climb up the rockery could be added to provide color and relief from the south side of the property line.

Board Member Broadway expressed concern about the significant amount of surface area that has been proposed for the parking area. She said she is attracted to some of the features that exist at Point Edwards such as trellises at the entryways and along the walkways. She asked if there would be an opportunity to introduce trellising in the parking area. Rather than using the rockery and the berm to conceal the visual impact of the vehicles from the single-family residence, trellises would provide greater greening of the parking area without eliminating stalls. Mr. Jammer agreed that trellises would add character to the parking area. Board Member Broadway said she also wants to be assured that the species is hearty enough to survive in the environment given the heavy winds that occur on the bluff. Mr. Jammer agreed that the environment limits the types of plants that can be used in this area, wind being the primary factor. It would take time for the plant materials to grow up on the trellis structures, obtain a secure foothold and begin to make a visual impact. He suggested the plants would have a better chance of survival if they are planted directly into the ground rather than in raised beds. Board Member Broadway recommended the applicant find a way to reduce the appearance of overall surface area, understanding that sacrificing parking stalls would be detrimental to the applicant's ability to provide sufficient parking. Mr. Jammer agreed to address this recommendation. Mr. Lien reminded the Board that trellises are not allowed within the setback areas, and a trellis along the rockery would be contrary to the zoning code.

Mr. Jammer added that they must also consider vehicular access when determining locations for light standards, trellises, trees, etc.

Board Member Walker observed that, as proposed, parking would be located right up to the retaining wall. Mr. Jammer said there is an opportunity to excavate some of this area and replace it with soil. However, a certain amount of aggregate would have to remain to facilitate drainage. Board Member Walker recommended additional plant species in this location to break up the hillside. Mr. Jammer cautioned against species that grow to a height that would eventually impact the view from properties to the south.

Board Member Guenther said that, as a new member of the Board, he reviewed the previous plan for Building 10 that was more consistent with the rest of the development. He requested further information about why the building design was significantly changed. Mr. Kolmer said they wanted to do something that was more modern, but use materials and colors that would blend in with the existing buildings. With the new amenity buildings, the developer saw an opportunity to use clean, modern lines that were more fashionable. While they took design cues from the existing buildings, they wanted to incorporate the more contemporary lines on the amenity buildings. He noted that they must also be sensitive to how the building responds to the development located to the south.

Board Member Broadway referred to pictures of the existing buildings at Point Edwards (Page 10 of the applicant's submittal). She specifically pointed out the very broad overhangs and the Pacific Northwest rusticated look of the existing buildings. The fenestration is at a residential scale, and the lines of the buildings represent a prairie style. She observed only the center photograph on Page 41 of the applicant's submittal is somewhat consistent with the existing development style. None of the other images the applicant used for design inspiration were consistent. She expressed concern that the design has drifted too far from the original intent of the broad overhangs, Pacific Northwest rustication, residential-sized fenestration, and prairie-style lines. Mr. Kolmer explained that the current building is designed with lap siding, just like the existing buildings. However, the cedar shake style does not seem appropriate for a building of this size. He emphasized that the pictures were not intended to be specific design cues, but design inspiration and ideas.

Vice Chair O'Neill asked for clarification of the metal siding the applicant is proposing. Mr. Kolmer said the applicant is proposing to use standing-seam, metal siding. He referenced pictures on Page 41 of the application to further illustrate the type of siding the applicant is proposing. Page 41 provides images of balconies, as well, to illustrate the types of materials that could be used. He explained that the intent is to use materials that are relatively transparent to take advantage of the views.

Board Member Broadway expressed concern that the north elevation has lost some of the horizontal cues that Point Edwards currently has. She said that, regardless of the current height of existing buildings at Point Edwards, they include some very strong horizontal features that come from the bungalow prairie style. There are no prominent horizontal design features in the new proposal to accentuate the floor levels. While the height of the north side of the proposed building meets the code, the applicant has done a disservice by accentuating the height rather than trying to minimize it with more horizontal visuals to bring the building down. Mr. Kolmer referred to the photograph in the center of Page 10, which illustrates how bays were used to modulate the building. He noted that a number of bays were also incorporated into the design for Building 10 to help break up the façade.

Vice Chair O'Neill referred to the General Design Review and Comprehensive Plan Urban Design Elements (ECDC 20.11). He pointed out that one criteria in the objectives is to retain connection with the scale and character of the City of Edmonds through the use of materials, proportionate forms, masses or building elements. While scale is beyond the scope of the Board's review, it appears that most of the citizens are concerned that the proposed building does not fit within the Point Edwards Development. He concluded that the proposal does not follow the guidelines of staying in character with the quality and design of the community. Mr. Kolmer pointed out that the design guidelines also call for diversity in design and variety in articulation to avoid monotonous forms. They also call for the creation of individual building identity.

Board Member Broadway expressed her belief that the applicant can make the building unique and separate it from being monotonous. She observed that the residents of Point Edwards purchased their properties based on the pictures of beautiful architecture that were provided by the developer. She encouraged the applicant's representatives to walk around the site and look at the detail on the buildings. She emphasized the intricate connections between the broad overhangs and the scale of the windows. She expressed concern that the proposed design includes too many windows that are far larger than residential scale. Because it is a residential building and not an amenity building, it must blend in with the existing residential development. She noted that none of the beautiful elements on the existing buildings were incorporated into the design of Building 10. She suggested the applicant consider incorporating at least some.

Board Member Walker agreed with Board Member Broadway, particularly her comments about the horizontal lines. Because height is of particular concern, the applicant should make design adjustments to lower the height from a visual standpoint. He also expressed concern that the proposed new building is out of character with the existing nine buildings on the site, which all have similar characteristics. He suggested the design should incorporate a northwest theme, with more wood materials and large overhangs. The developer's representatives agreed to make adjustments to the design based on the Board's recommendations.

Board Member Broadway referred to the staff's conclusion and recommendation in the Staff Report regarding the height issue. Mr. Lien reminded the Board that, subsequent to the Staff Report, the applicant has adequately addressed the height issue. The height of the proposed building would be consistent with ECDC 16.75.020.B, as well as the Urban Design Objectives of the Comprehensive Plan.

BOARD MEMBER BROADWAY MOVED THAT THE PUBLIC HEARING BE CONTINUED TO A FUTURE DATE AND THAT THE APPLICANT MODIFY THE DESIGN PROPOSAL FOR BUILDING 10 AS FOLLOWS:

- 1. THE DESIGN OF BUILDING 10 SHOULD BE MORE CONSISTENT WITH THE OTHER DEVELOPMENT APPROVED AND CONSTRUCTED AT POINT EDWARDS UNDER THE POINT EDWARDS MASTER PLAN.**
- 2. ADDITIONAL LANDSCAPING SHOULD BE PROVIDED ALONG THE ROCKERY OR IN THE PARKING LOT ALONG THE SOUTH SIDE OF THE SURFACE PARKING LOT.**
- 3. THE APPLICANT SHOULD TAKE INTO CONSIDERATION THE FOLLOWING DESIGN ELEMENTS PRESENT IN THE EXISTING POINT EDWARDS BUILDINGS: RESIDENTIAL FENESTRATION, BROAD OVERHANGS, MORE HUMAN SCALE, DISTINCTION BETWEEN FLOOR-TO-FLOOR HEIGHTS, AND PACIFIC NORTHWEST ELEMENTS AND MATERIALS.**
- 4. THE APPLICANT MUST SUBMIT SAMPLES OF THE PROPOSED MATERIALS.**

BOARD MEMBER GUENTHER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

CONSOLIDATED PERMIT APPLICATIONS (No Public Participation):

There were no consolidated permit applications.

ADMINISTRATIVE REPORTS/ITEMS FOR DISCUSSION:

There were no administrative reports.

ARCHITECTURAL DESIGN BOARD MEMBER COMMENTS:

Election of 2013 Officers

The Board postponed this item to the next meeting.

ADJOURNMENT:

The meeting was adjourned at 9:40 p.m.