

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

May 15, 2013

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

Bryan Gootee, Chair
Bruce O'Neill, Vice Chair
Lois Broadway
Cary Guenther
Rick Schaefer
Tom Walker

Board Members Absent

Michael Mestres (excused)

Staff Present

Kernen Lien, Senior Planner
Jeanie McConnell, Engineering Project Manager
Karin Noyes, Recorder

APPROVAL OF MINUTES

VICE CHAIR O'NEILL MOVED THAT THE MINUTES OF APRIL 3, 2013 BE APPROVED AS SUBMITTED. BOARD MEMBER WALKER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

APPROVAL OF AGENDA

BOARD MEMBER BROADWAY MOVED TO APPROVE THE AGENDA AS SUBMITTED. BOARD MEMBER SCHAEFER 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.

PUBLIC HEARINGS - MAJOR PROJECTS

Public Hearing on proposed revisions to Point Edwards Building 10 and associated landscaping. Site is located at 50 Pine Street (PLN20130022)

Mr. Lien reviewed that the Point Edwards Development was originally approved in 2002 under the Point Edwards Master Plan (PEMP). Text changes created the MP1 and MP2 zones and a subsequent rezone changed the zoning on the site from Commercial Waterfront to the two Master Plan (MP) zones. He noted that any development on the site must be consistent with the approved master plan. Mr. Lien further reviewed that the original design proposal for Point Edwards was approved by the ADB under File Number ADB-2002-226 (Attachment 4 of the Staff Report), which provided a layout of the 10 residential buildings and 1 amenity center. The original approval was for 295 residential units. Since the original approval in 2002, the project has come back to the ADB for modifications to the buildings and landscaping, as well as an additional amenity center. In 2005, the ADB approved File Number ADB-2005-49 (Attachment 5), which allowed previsions to Building 5 and increased the number of residential units allowed on the site

to 350. At that time, the City adopted the original SEPA determination for the site, recognizing the increase in the number of units.

Mr. Lien noted that no elevation view was provided for Building 10 as part of the original application. Instead, the applicant used Building 4 as the typical building that would be constructed at Point Edwards. He explained that under the original approval, the western portion of Building 10 was set up higher, the eastern portion was stepped down, and both of the buildings were four stories in height. He advised that in 2006 the ADB approved File Number ADB-2006-97 (Attachment 6), which raised the eastern portion of Building 10 to line up with the western side. This version of Building 10 would have accommodated 69 residential units, but he does not have a unit count for the original design.

Mr. Lien said the applicant submitted a redesigned proposal for Building 10 in 2012 that contained 89 residential units, and the ADB conducted a public hearing on December 19, 2012. At that time, the ADB referred the proposal back to the applicant for additional changes. The current proposal for Building 10 responds to comments the ADB provided to the applicant on December 19th and would accommodate 85 residential units. A few units were lost to accommodate the top floor step back.

Mr. Lien explained that the City originally issued a State Environmental Policy Act (SEPA) Mitigated Determination of Non-Significance (MDNS) as part of ADB-2002-226. The original MDNS was also adopted for the amendments that occurred in 2005 as part of ADB-2005-49. He recalled that, at the last meeting, he indicated that the SEPA determination would also cover File Number PLN20120040. However, subsequent to the December 19th hearing, it was pointed out that one of the conditions in the original MDNS included a requirement that the “City accept the applicant’s proposed traffic mitigation fee of \$22,000 for signalization improvements to the Pine Street/SR-104 intersection.” This signalization was tied to the Edmonds Crossing Project, which is no longer moving forward. Therefore, the need for signalization at the intersection no longer exists, and the City determined that SEPA needed to be redone for Building 10. This raised several potential procedural concerns that could have resulted in two open-record public hearings, which is not allowed under State law. To avoid the procedural issues that were raised, the applicants withdrew the application (PLN20120040) and submitted a new application (PLN20130022), which resets the process. He summarized that while technically, the application is new, the applicants have responded to the comments provided by the ADB on December 19th.

Mr. Lien recalled that at the December 19th meeting, questions were raised about whether or not a traffic impact analysis had been done when the project was increased from 295 units to 350 units. Staff determined that an analysis had not been completed in 2005, but an updated SEPA traffic impact analysis was done for the current application (PLN20130022). The City issued a Determination of Non-Significance (DNS) on April 12th, and no comments were received.

Mr. Lien reviewed that at their December 19th meeting, the ADB made the following recommendations:

- The design of Building 10 should be more consistent with the other development approved and constructed at Point Edwards under the PEMP.
- Additional landscaping shall be provided along the rockery or in the parking lot along the south side of the surface parking lot.
- The applicant should take into consideration the following design elements present in the existing Point Edwards buildings: residential fenestrations, broad overhangs, more human scale, distinct floor-to-floor heights, and Pacific Northwest elements and materials.
- The applicant must submit samples of the proposed materials.

Mr. Lien referred to the updated design that was prepared by the applicant in response to the ADB’s direction on December 19th. He said staff’s position is that the updated design is a vast improvement over what was originally proposed. He recalled that one of the main concerns was how Building 10 would fit in with the rest of the Point

Edwards Development, particularly in regards to design standards. In general, staff feels the proposed design ties in much better with the rest of the Point Edwards Development as far as overall design, colors, materials, etc.

Mr. Lien noted that the base height limit in the MP1 zone is 35 feet, and buildings can achieve an additional five feet in height if they have a modulated roof design. While the code language references Edmonds Community Development Code (ECDC) 20.10 for the modulated roof design, there is no mention of modulated roof design in this section. The only guidance is found in the Comprehensive Plan, which identifies the following broad objectives for roof modulation: to break up the overall massing of the roof, create human scale in the building, use roof forms to identify different programs or functional areas within the building, and provide ways for additional light to enter into the building. He specifically asked the ADB to review the proposed roof design for Building 10 to determine if it is sufficiently modulated to be granted the additional five feet in height. He noted that the applicant has added some peaks to the roof, and there is fluctuation to the building that adds additional modulation. If the ADB finds it is a modulated roof design, the height calculations submitted with the application would meet the 40-foot overall height limit. He noted that the Staff Report provides an explanation of how height was calculated.

Mr. Lien noted that the original surface parking area had approximately 25 spaces, and the current design calls for 77 spaces. This is a significant change over the earlier 2006 design. There is a rockery along the south side of the surface parking area, which makes it difficult to screen the parking area. The ADB recommended the applicant include some trellises within the parking area, and they have been added to the landscape plan. The Town of Woodway submitted comments regarding this issue and recommended a condition that a trellis be installed along the top of the rockery. At the last ADB meeting, a similar suggestion came up and he indicated that a trellis would be considered a structure and would have to meet setback requirements. After further discussion, staff determined that a trellis should be treated similar to a fence in this situation because it would help to screen the property. Fences up to six feet in height do not have to meet the setback requirement. Staff is now recommending a condition that a trellis no taller than six feet be installed along the rockery or that the applicant work with the neighbor and property owner to come up with some additional landscaping. Staff also feels that landscaping along the rockery should be improved to provide greater screening of the parking area from the single-family residence located just south of the development in Woodway.

Mr. Lien recalled that many comments regarding the application had to do with on-street parking. He advised that the layout of the travel lane, on-street parking, sidewalks, etc. along Pine Street was reviewed and approved during the initial design phase of the entire Point Edwards Development. At that time, an access point was proposed (and later constructed) along the north side of Building 10. The current proposal no longer includes a driveway approach at this location; and in light of the expressed need for additional on-street parking, staff recommends the on-street parking area located to the east of the driveway approach be extended west to provide approximately three additional parking spaces.

Mr. Lien said that although the proposed Building 10, with the tops of both the eastern and western portions at the same level, may comply with the maximum zoning height, staff does not believe the configuration is consistent with the PEMP or with a number of design standard policies with the Comprehensive Plan. Staff is recommending the following condition:

“That the eastern portion of Building 10 should be stepped down to four stories in order to conform to the Point Edwards Master Plan and the City of Edmonds Design standards. The overall design of the building shall remain substantially the same, with the top floor stepped back and the modulated roof design retained as depicted in Attachment 3.”

Mr. Lien said the proposed condition is supported by a policy in the PEMP, which states that “in the upper yard, governed by the proposed MP1 zoning regulations, the residential buildings will be designed to fit into the terraced hilltop and hillside.” The condition is also supported by several design objectives in the Comprehensive Plan such as: integrating buildings into their site by stepping the mass of the building along steep sloping sites; retaining a connection with the scale and character of the City of Edmonds through the use of similar materials, proportions, forms, masses or building elements; encouraging human scale elements in building design; reducing bulk and mass of buildings; and

subdividing masses vertically or horizontally. He said the Staff Report identifies a number of additional policies to support the condition, as well.

Mr. Lien said the simple way to address the design policies in the PEMP and the Comprehensive Plan would be to eliminate one floor in the eastern portion of the building. This would bring the building back in line with what was originally proposed in 2002 where the building flows better with the hillside. However, staff would be supportive of another approach as long as the same affect could be achieved through other design techniques while still maintaining five stories. The condition is not limited to the four-story option. The purpose of the condition is to step down the eastern portion of the building to flow with the hillside, reduce the mass of the building, and be more consistent with the rest of the Point Edwards Development.

Mr. Lien advised that the City received 57 comment letters, which were included in the Staff Report. Comment letters received after the Staff Report was prepared were forwarded to the Board, as well. He briefly reviewed the recurring topics as follows:

- There was concern that not enough new parking spaces would be provided for the new development and the development would overwhelm the existing on-street parking. He explained that the purpose of the City's parking standards is to reduce street congestion and overcrowding of on-street parking and to protect adjacent property from the impact of a use with inadequate off-street parking. He noted that the proposed development complies with the City's parking standards, and there should be no impact to on-street parking.
- Some comments had to do with requiring the applicant to place more parking underground. He said he searched the ECDC and Comprehensive Plan looking for references to underground parking, and was unable to find any code language or policy statements that required underground parking. Therefore, staff concluded that the proposed parking complies with the City's parking standards.
- Concern was raised about the number and size of the proposed units in Building 10. The applicant has obtained approval for up to 350 units at the Point Edwards Development. To date, 261 units have been constructed. The additional 85 proposed for Building 10 would put the total number at 346 units, which is still within the number of units allowed on the site. Concern was also expressed that because the units are smaller, the building would be an apartment complex rather than condominiums like the other buildings at Point Edwards. He explained that apartment buildings and condominiums are both considered multi-family developments, which are permitted primary uses in the MP1 zone. An apartment building would comply with the zoning standard.
- Some comment letters referenced an average 1,500 square foot size for the residential units in the Point Edwards Development. However, the context of the 1,500 square foot size pertained to the MP2 zone, which is the lower area. In the upper yard, the number of units was determined by a permitted density of 2,400 square feet per dwelling unit. The entire upper yard area is just over 24 acres, which results in a potential density of 419 units. The current proposal would result in a total of 350 residential units, which is less than the 419 envisioned in the PEMP.
- A number of comments were related to traffic, and an updated traffic impact analysis was done with the SEPA review. The analysis found no significant increase in traffic, and all the intersections in the area would still meet the City's adopted level of service. With the building permit, the applicant will be assessed new traffic impact fees according to the City's traffic impact fee ordinance.

Board Member Broadway asked how many residential units would have to be eliminated if the eastern portion of the building is reduced to four floors. Mr. Lien said the applicant would address this question. At the request of Board Member O'Neill, Mr. Lien used the elevation drawing to distinguish between the eastern and western portions of the building.

Board Member Schaefer asked how many total parking stalls would be provided at the Point Edwards Development. Mr. Lien said he does not know what the total number of parking stalls would be, but Building 10 is required to have 136 parking spaces and the proposal would provide 144. Board Member Schaefer said he is interested in the ratio of underground parking as opposed to surface parking. He recalled that the design guidelines call for a certain percentage of underground parking. Mr. Lien said all of the other buildings have underground parking, and Building 10 would have a surface parking area. He noted that Building 10 was originally approved with a surface parking lot, although not of the size currently being proposed. Mr. Lien said the same parking ratio was applied to each of the buildings.

Chair Gootee clarified that although the five stories proposed for the eastern portion of the building would be code compliant, staff is recommending that it be reduced to four stories for modulation. Mr. Lien clarified that the purpose of the step down in the eastern portion of the building is to make the building flow better with the hillside and lower the mass of the building. If this can be achieved by other design standards and still have five stories, staff would be supportive.

Rick Gifford, PLCC, Edmonds, said he was present to represent the property owner, Edmonds Pine Street, LLC. He said he has advised the developer of the Point Edwards Project from its inception in 2002. He noted that his client, John Goodman, the Principal in Edmonds Pine Street LLC was present, as were project architects Joe Kolmer and Myer Harrell of Weber Thompson, landscape architect Forrest Jammer of Tom Rengstorf and Associates, and civil engineer Rick Tompkins of Triad Associates. He said that before moving into the substantive presentation, he would supply some relevant background and context as a framework for the hearing. He asked that the Board allow him to reserve up to 15 minutes for rebuttal at the conclusion of the public testimony.

Mr. Gifford explained that the structure planned for the site has been generically labeled “Building 10” since the inception of the Point Edwards Development. For ease of reference, he said he would refer to the proposal as Building 10 or by its property address of 50 Pine Street. He noted that nine, multi-family buildings have already been erected in Point Edwards, along with two amenity buildings for use by residents. One of the amenity buildings was required, and a second was volunteered by the developer to provide additional amenity facilities for the Point Edwards residents. He advised that the applicant notified the Point Edwards Homeowner’s Association late last year that Building 10 would not be part of the association. He explained that this step was taken in response to concerns expressed by the association’s board and some Point Edwards residents that access by the new residents of Building 10 to the amenities would overtax them. This concern was remedied by simply not having Building 10 be part of the Homeowner’s Association, and its members would not have access to the amenity facilities.

Mr. Gifford pointed out that this is the second public hearing on this particular iteration of Building 10 in the last five months, and the fourth time overall that the Board has been involved in a public design review process affecting the development of 50 Pine Street. He noted that Building 10 was part of the initial 2003 development review for Point Edwards, and a skeletal concept of the building was shown at that time. He observed that the design package presented in 2003 was considerably less sophisticated than today’s materials, as it was intended to provide a broad overview. Site specific designs were not presented at that time. He displayed a picture of the original conceptual site plan that was presented in 2003 and noted that Building 10 was proposed to be a large elbow building at the top of the hill, with surface parking behind. While the current proposal resembles the original Building 10 concept in structural form, layout and scale, the new design has a smaller footprint and the overall mass of the building is 25% lower than previously approved. As with the original design, the proposed building is toed or stepped into the hillside, with only two visible floors on the south side of the property towards Woodway. While the original concept of the building was four visible floors on the down slope side of both the east and west wings and the east wing stepping down a little bit, the design was changed in 2006 to accommodate a five-floor east wing. He noted that the buildings were placed throughout the site in a manner that maintains the view corridors identified in the PEMP.

Mr. Gifford reminded the Board that the original approval was for 295 residential units for the entire project, although the MP1 zoning would have allowed up to 419 units on the site. The maximum unit count was later increased to 350 units by the ADB’s action in 2005. The number of units was still well below the 419 units allowed by code.

Mr. Gifford said the Point Edwards developer submitted the first specific design proposal for a building at 50 Pine Street in 2006. The building initially mirrored the 2003 concept, with two, four-story wings and different roof elevations for the two wings. However, a stand-alone design change was later proposed and approved for a level roof with the western and eastern wings at the same elevation, which was allowed under the City's codes and development standards and not prohibited by the PEMP or approved design guidelines and planning policies. He explained that the redesigned building, with five stories in the east wing and four in the west wing, contained 69 units. He advised that, among other things, site context views were presented to staff and the ADB, clearly showing the differences between the original stepped roof and the proposed level roof. He referred to Attachment 17 of the Staff Report, which provides a site context view of Building 10 from the west. He noted that Photograph 1A shows the original plan with the east wing of Building 10 moderately stepped down, and Photograph 1B shows the design that was approved in 2006, raising the level of the east wing by approximately one floor with a level roof. He also provided a view of the north elevation of Building 10, as approved in 2006.

Mr. Gifford explained that after a formal design review, the ADB entered the finding that the revised building design, as presented, was consistent with the Comprehensive Plan and other adopted City policies. They approved the change from a stepped roof, with four stories in each wing, to a level-roofed Building 10 consisting of five floors in the east wing and four floors in the west wing. He noted that the Board's finding and decision is contained in Attachment 6 of the Staff Report. Again, he stated that the proposed building would have a 25% smaller footprint than the original design, but it would be slightly taller. Mr. Gifford explained that a building permit for the revised design was approved in 2008, but it has now expired.

Mr. Gifford recalled that the second site-specific design proposal for Building 10 was presented to the City in May of 2012 for a pre-application design review. The 2012 design was similar in size and layout to the approved 2006 building design and included a level roof, a five-story east wing, and a four-story west wing. At that time, the architects supplied staff with the information and materials relating to the proposal as required by the City, including site and floor plans, unit layouts, and similar project information. In addition to the required elements, the architects provided three-dimensional color renderings of the proposed building showing architectural and design elements to clearly and comprehensively illustrate the appearance of the building in all respects. In addition to the first pre-application meeting with staff in May, the architects refined the design further and met again with staff in September for a second pre-application meeting. During the pre-application meetings, staff cited a condition of approval from File Number ADB-2006-97, which stated that 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 felt that the addition of a water feature in an area previously identified for landscaping and the substantial increase in the number of parking stalls in the exterior area would require that the proposal be returned to the ADB for further review. He summarized that the only comment made by staff after the initial four months of review and two pre-application meetings (May and September) was that significant changes in landscaping were being proposed. The applicant agreed that the changes were substantial enough to require additional ADB review and approval. At that time, the applicant was led to believe that the design would be presented to the Board with the support of staff.

Mr. Gifford explained that the pre-application process, for which the City charges a fee, is outlined in the city's Handout #B58. The purpose of the process is to extract necessary information from applicants and inform them of significant substantive and procedural issues early in the process. The idea is timely disclosure of major items to help applicants navigate the City's permit and approval maze. The goal of the meeting is to identify major issues and procedures applicable to the project which are helpful for an applicant to determine feasibility, design issues, timing, and various processes required for a project. The intent is to avoid surprises late in the game. The City demanded notification of the contours of development, and the applicant supplied that information. The City's responsibility is to talk to the applicant informatively about any issues of concern and problems they see in the proposal. In this case, the staff had ample opportunity to do that in the two pre-application meetings. What came out of those meetings was expressed concern about the two landscape features mentioned. Staff wanted some additional landscape screening for the increased surface

parking, and the applicant has worked with them to do that. Although the staff wanted the Board to review the patio/water feature, there really was no discussion about it during the pre-application meeting. It is a nice amenity.

Mr. Gifford said there was some uncertainty about how the proposal would move forward. It was finally determined that a public hearing was needed, and that the ADB would make the final decision regarding design. Although they received very few comments and virtually no help on design during the pre-application meetings, the discussions did allow the parties to confirm the correct number of total units at 350 for the project. Staff mistakenly believed the project was still limited to 295 units. The pre-application process also served to identify and highlight the two landscaping changes that needed to be reviewed by the ADB. Staff also verified, though incorrectly, that the City could and would rely on its SEPA analysis and initial MDNS that was issued for the project as a whole in 2002-2003. Staff relied on this MDNS in subsequent approvals, including the 2005 increase in density to 350 units and indicated the City would do so again.

Mr. Gifford said a formal application for Building 10 was filed in early November of 2012. They knew it was a project of great concern, as is apparent by the room full of residents who love their City and the Point Edwards Development and are understandably concerned about the proposal. Numerous comment letters were received leading up to the first hearing, but many were related to building permit issues and were not germane to the design review process. The concerns included unit count, unit size, apartment versus condominiums, parking and traffic matters, storm drainage, etc. These issues have already been resolved in previous project approvals or will be fully addressed at the building permit stage.

Mr. Gifford reminded the Board that the proposal came back before them last December under two express conditions of its 2003 approval. The first condition is that 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 identified a few changes that needed to be brought before the ADB for approval. The second condition required staff to 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 review. These conditions were cited by staff in both the December 19th and May 16th Staff Reports.

Mr. Gifford expressed concern that the applicant's representatives did not receive staff reports until six days prior to the December 19th or May 16th public hearings, and there was a weekend in between. In each case, there were substantial shifts and additional items raised for the very first time. These issues had never been raised and/or flagged by staff in the pre-application process, and they had not even been implied. Regardless of the outcome of this hearing, he suggested this concern is something the City needs to address. Again, he reminded the Board that the pre-application process is designed to help applicants identify and address significant issues in a timely way at the outset.

As stated at the December 19th public hearing, Mr. Gifford reiterated that the applicant asserts that, technically, the scope of the Board's review and authority is defined by and limited to the two conditions identified earlier related to significant changes in landscaping, color and materials. He expressed his belief that these targeted conditions do not allow the City and the ADB to re-open and fly-speck every aspects of the project. From the applicant's perspective, that is what seems to be happening—multiple bites of the apple, new issues popping up all the time, and intrusive and unduly burdensome requirements. Staff has gone far beyond the two conditions, and the applicant worked with the staff so long as the additional matters discussed were reasonably related to design aesthetics, were not unduly burdensome, did not demand excessive things from the project and/or the applicant, and were fairly presented. This has been a collaborative effort between the applicant and the City from the beginning, and the applicant does not have any intention to change that. The applicant's commitment to work with the City now and in the future is reflected in the extent to which they have redesigned the building in response to comments that go far beyond the expressed conditions that brought the matter forward. The applicant desires reasonable accommodation in an effort to reach an acceptable design for Building 10 to complete the build out of the Point Edwards Project, which is arguably the most important and largest project in the history of the City of Edmonds.

Mr. Gifford said it was in this spirit that the applicant received the Board's several comments at the end of December. Some of them related to the conditions, and many did not. The applicant did not argue and/or complain. They received the comments and then went to work to redesign the building. After long scrutiny by staff in a design process that ran seven months, without any substantive comments beyond the two conditions noted earlier, then came the December 19th Staff Report that was full of surprises and criticisms and a recommendation that the Board have the applicant redesign the project. Mr. Lien, for the first time, identified several design questions and criticisms not brought to the architect or applicant's attention in a timely fashion during the pre-application review. After flagging just those two landscape matters for review, and after acknowledging that the building colors appeared acceptable, Mr. Lien then recommended that the Board require a lot of changes to make the design more consistent with the surrounding project in a number of different aspects. Notably, Mr. Lien did not even mention the concept of stepping the building down until six days ago.

Mr. Gifford said that in addition to Mr. Lien's remarks and the applicant's presentation on December 19th, there was a lot of public comment, which is understandable. The public hearing was followed by a helpful dialogue between the Board and applicant that resulted in what they considered the first constructive guidance they received from anyone at the City with respect to the design. They did not complain because the Board's comments were good ideas and reflected fairness. Instead, the architects redesigned the building in accordance with the specific guidance from the ADB. Again, he noted that there was no mention about the concept of stepping the building down. In fact, Vice Chair O'Niell pointed out that "issues relating to the scale of the building are outside the scope of the Board's authority." He emphasized that the Board's responsibility is to review design, and issues related to mass and scale are outside of its purview. He said at the tail end of the public hearing, just before the Board issued its comments, Mr. Lien again reiterated that "the building met all of the height standards of the MP1 zone and was in conformance with the Comprehensive Plan with regard to height." He noted that this would have been a great opportunity for Mr. Lien to mention the idea of stepping the building back or removing a floor, but it never came up in the discussion.

Mr. Gifford said the applicant did not anticipate the staff's recommendation to eliminate one floor on the eastern portion of the building at all. They were working from an approved design plan by the ADB in 2006 that specifically looked at and approved that issue, and the City subsequently issued a building permit. The change was not on their radar screen at all. They were fully reliant on staff to bring significant issues forward early in the process.

Mr. Gifford said the challenging process has been made infinitely more difficult by various procedural gyrations. For example, the applicant was told that the City would rely on the SEPA review from 2003, and then there were newly discovered facts relating to the \$22,000 fee that was paid voluntarily by the applicant to the City for signalization improvements at Pine Street that will not be needed. The applicant suggested the City simply reimburse the money, but the City indicated that another SEPA would be required because the condition was never fulfilled. He said he, the City Attorney and Mr. Lien spent a lot of time trying to figure out the best approach to address this new requirement in the middle of an ongoing project. Ultimately, the applicant felt there was no other choice but to withdraw the 2012 application and start over strictly in accordance with the City's code. The new application required a full environmental checklist and a SEPA determination issued by the City. A notice of the SEPA determination was given, and no appeals were filed during the two-week comment period. Also as part of the SEPA process, a full new traffic impact analysis was done for the stand-alone Building 10 and no problems were identified. Impact fees will be paid as determined during the building permit phase.

Mr. Gifford explained that while this is technically a new application, everyone knew that the applicant was already in the middle of redesigning the building based on comments received from the ADB on December 19th. The architects did their best to respond to every single comment that the Board made, and the Board offered the comments in light of the surprising criticisms that were leveled against the first design in the Staff Report issued just six days before the hearing. He emphasized that, like the 2006 initial approval by the Board of a very similar but larger building, and like the 2012 first iteration of the current proposal, the latest version conforms to all applicable development standards (height, bulk, lot coverage, parking, etc.). In fact, this compliance is acknowledged in the Staff Report. The proposed design is demonstratively responsive to all of the input the architects received from the staff and Board to date, with the exception of the new request that one floor be eliminated on the eastern portion of the building.

Mr. Gifford pointed out that the redesign required the applicant to give up four residential units. The changes that were made were not trivial and were based on direction the applicant received from the Board, as well as staff input. It takes a lot of time and money to redesign a building. In refining the design, Mr. Gifford acknowledged that the architects did not go fully back to the drawing board, but they did fairly revisit the exterior of the building—its presentation and its integration with surrounding—as urged by the Board in the December public hearing. They were expecting to make the design changes and come back before the Board at a continued hearing. Although the applicant had to start the process over, they are presenting the very same design they would have presented in a continuation of the initial hearing—one fully responsive to everything the Board asked them to review.

Mr. Gifford explained that the overall thrust of the redesign, in accordance with the Board’s commentary of December 19th, was to make the building’s design “more consistent with the other development approved and constructed at Point Edwards under the Point Edwards Master Plan,” and staff agrees that it is. It is responsive to what the Board said and is more coherent and compatible. He pointed out that the applicant had to work with design guidelines that have a natural tension. On the one hand they say, “make it fit,” and on the other hand, they say, “make it unique and give it architectural integrity.” He expressed his belief that the building fits with its surrounding and is architecturally distinctive, just as the design guidelines ask. The Board did not tell them to do a “cookie cutter” design, but to give consideration to the issues raised.

Mr. Gifford observed that it is impossible to satisfy everyone completely. Many citizens believe the applicant has not done nearly enough. Every constituency has a perspective, and they are glad the Point Edwards residents care about where they live. However, the fact that you can’t satisfy everyone all the time is exactly why we have design guidelines, code provisions, and pre-application review processes. It is why the process calls for disclosure of complete and accurate information in a timely way, but the applicant did not get any of that. They got the information piecemeal; it came sporadically and late. It seems as though staff has reserved the biggest issue for the last, yet it is the hardest one to accommodate. He said he has not received a good answer as to why staff waited until now to bring the change up. If it is so critical, it should have been one of the first items discussed.

Mr. Gifford said that a lot of work was put into the revised design. The first application was withdrawn on March 25th, and the new application was submitted on March 26th. The staff did not provide any substantive comments regarding the new application or on the design revisions. The City issued a DNS, and there were no appeals. The applicant then worked with staff to schedule the public hearing. Unfortunately, when the Staff Report came out six days ago, they were surprised again. Although not required, the applicant has agreed to address two of the recommendations made in the Staff Report to add a few on-street parking spaces and to work with the neighbor located above the parking area to provide additional landscape screening. However, staff’s recommendation to remove a floor from the eastern portion of the building is of grave concern to the applicant.

Chair Gootee asked Mr. Gifford to wrap up his presentation as quickly as possible so the applicant’s other representatives and the public has an opportunity to participate, as well.

Mr. Gifford summarized that the applicant has gone through pre-application review, two public hearings, and now they are facing a new issue. Understandable, they are unhappy. They want to move the process along so the building can be developed, and they hope they can have the Board’s support. He invited Joe Kolmer to speak to the details of the superb design, which staff seems to like. He said there is nothing in the code, the Comprehensive Plan, the Urban Design Guidelines, the history of the review of the project or the Board’s own determination that would even suggest that the eastern portion of the building should be stepped down. The applicant believes the proposed building is perfectly suitable for the site, and it meets all of the development standards applicable to the project, as well as the standards of the master plan and the Urban Design Guidelines. Mr. Gifford submitted his written comments and the accompanying images into the record.

Board Member Schaefer reminded the audience to be respectful of all of the speakers. The Board is trying to move the hearing along, and their cooperation would be appreciated.

Joe Kolmer, Associate, Weber Thompson Architects, Seattle, circulated an addendum that was prepared after receiving the Staff Report last week. He also provided a materials board. He advised that Page 1 shows the ADB-approved design concept from 2006, which resulted in a permit for the project. He noted that the current proposal has a 25% smaller above-grade footprint than the permitted building from 2006. He also noted that one floor was removed from the façade on the south side of the east wing. He specifically referred to Pages 48 and 49 of the Staff Report and noted that the approved building actually showed three stories on the south side, and the proposed new design reduces the number of stories to two. Mr. Kolmer said he believes the documents he provides will show that the proposed building design is a microcosm of the Point Edwards Development as a whole.

Mr. Kolmer provided an enlarged image from the packet, showing the proposed building's shape, which mimics to a degree the landscape and tree line above. As with the surrounding buildings, the façade heights vary relative to their position on the hillside. For example, the northwest corner is three stories, the northeast corner is five stories, and the entire south façade is two stories. He also provided an image to illustrate the view from the Edmonds Marsh trail, showing a cluster of Point Edwards buildings, some of which are a mere 60 feet apart. He noted that portions of the development combine to show in upwards of six stories of building construction, uninterrupted by natural features or significant landscaping. The proposed structure is surrounded by Pine Street, which allows for a significant amount of horizontal relief, and only 25% of the total façade will be five stories. The backdrop for the building will be mature, greenbelt vegetation. He also provided a cluster image viewed from the marina parking lot along Admiral Way, which shows yet another example of massing for the project.

Mr. Kolmer referred to an electronic record of the materials board that was presented to the Board. He said the intent is to provide a scheme that is analogous with other Point Edwards Buildings. He specifically referred to examples of modulated roof designs that were taken from the Community Business section of the code, but are relevant to taller structures, as well. He briefly reviewed the differences between the design that was submitted last December and the new proposal, which incorporates changes put forward by the ADB.

- The window panels were broken down to a scale and layout similar to other buildings found at Point Edwards. The windows specified for the project are provided by the same manufacturer who provided product for the adjacent buildings.
- The architectural language for the project has changed significantly from the clean, modern lines of the previous iteration to a more traditional and ornate vernacular, including the northwest craftsman details and prairie style forms noted numerous times by the ADB.
- Modulation of a more vertical nature has been modified in favor of a more horizontal emphasis. This has been accomplished with floor level accent banding, top floor setbacks, and material and color distribution.
- There is an assortment of overhanging roof forms, and gable roofs were incorporated for variety.
- Hip roof forms replace the shed roof assemblies that were included in the previous design.
- Trellises and supplemental landscaping were added at the surface parking area.

Mr. Kolmer referred to the project summary sheet and noted that not much has changed, with the exception of the reduction in unit count from 89 units down to 85 units. This modification allowed for increased square footages for the units and building setbacks at the top floor. He also provided a diagram that compares the current proposal with the design that received building permit approval in 2008. He noted that the building footprint for the new design has been reduced by 25%, and the south façade of the east wing was reduced from three stories down to two.

Mr. Kolmer advised that design cues for the proposed design were taken from the existing Point Edwards structures and landscape elements, as well as from the residences to the south. He noted that the site is flanked to the south by a mature greenbelt. He provided a view of the project from the northwest, which shows the variety of colors and textures that are

typical of the project. For example, lap siding would be used to match other Point Edwards buildings. The siding would be installed with 4, 8 and 12-inch exposures, depending on color. He also noted the horizontal banding at the floor levels and the deep roof overhangs, which were accomplished by setting back the top floor to help emphasize the horizontal building design. The balcony assemblies and fenestrations are also more horizontally oriented than the previous iteration. Both the cedar shakes and the metal siding accents found in the previous design were eliminated, and the proposed metal and glass systems would utilize the same materials as the surrounding structures.

Mr. Kolmer pointed out that the previously proposed secondary garage door has been replaced with more residential frontage. This results in increased pedestrian safety. It also opens up the option for supplemental street parking. He provided a more detailed look from the northwest to better show the components such as the light shelves, which are found on the top floor to help light penetrate further into the units. There are sliding glass door assemblies at the living and dining areas. He noted that all of these elements are encouraged specifically by Design Guideline D.3.d. He explained that the shallow hip roof forms are common to the prairie-style architecture noted numerous times by the ADB, and they fit well with the surrounding buildings while embracing the design guidelines for both diversity and design and the individual identity of the buildings. He said the bay design elements are reflective of design elements found at other Point Edwards buildings, as well.

Mr. Kolmer provided a detailed view of the north side of the east wing of the building, which is five stories. He explained that the approach used with colors, materials and details are a common theme with the building design. The variety of roof forms help to avoid monotonous and repetitive building elements, which is consistent with the design guidelines (C.8.a). He also provided a view from the southeast adjacent to the greenbelt, as well as a view from the southwest that shows more hip roof forms, which replaced the shed roofs in the previous iteration. He noted that the surface parking lot would remain on the south side of the building, which is consistent with Design Guideline C.2.c. A number of trellises and landscaping were added to the surface parking lot, as well. In addition, the garage door that is located approximately 40 feet back from the property line has been screened by plantings at finished grade which is consistent with Design Guidelines C.4.c and C.5.b. He noted the location of the roundabout, which would also be utilized at the adjacent vehicle entry to aid in pedestrian safety and screening of harsh visual elements.

Mr. Kolmer provided a view of the exterior of the main building lobby and noted that the color and roof form varies just slightly from the adjacent residential uses. A covered drop-off area was added and designed for convenience and to increase pedestrian safety in line with Design Guidelines C.9.c and C.5.b. The hedges shown flanking the area provide privacy and a visual barrier between the different uses, which is consistent with Design Guidelines C.14.a and C.14.b. He advised that a summary of all design guidelines applicable to the project can be found on Pages 34 through 36 of the Staff Report.

Mr. Kolmer advised that the functions of the east amenity areas remain the same, but the level of northwest craftsman details has been incorporated to tie in better with the new building design as noted by the more gable-shaped roof forms. The prior design had shed roofs and metal roof forms rather than wood. He said the proposed water feature would be similar in scale to others found at Point Edwards. The feature would provide a pleasant white noise and additional interest to the area. The fitness space patio would be located at the middle of the building's north face. He emphasized the gable roof forms and stone accents found at the building entry and east amenity areas to help provide additional human scale to the property. He noted the operational window wall, which will blur the line between exterior and interior spaces when weather permits.

Forrest Jammer, Tom Rengstorf and Associates, Seattle, said he is the landscape architect for the project. He briefly reviewed the landscape plan, specifically noting the project would continue the common landscape theme that is used throughout the Point Edwards Development, including streets along Pine Street to add color and variety, as well as waves or drifts of shrubs, perennials, grasses, conifers, evergreens and deciduous plant materials. Mr. Jammer said that to add additional variety and interest, perennials and grasses would be planted closer to the sidewalk to provide a close residential feel. This would be followed by long-panels of grass so people can walk in the area. Some patios have access onto the grass areas, and others have the benefit of the adjacent shrubs, perennials and grasses. He noted that

there would be vegetation along the patios on both the north and south sides of the building to provide some screening and visual relief for the individual spaces.

Mr. Jammer pointed out that the landscape plan calls for two trees in each of the parking islands, which also include a combination of deciduous and evergreen shrubs, perennials and grasses. The goal is to use similar materials to maintain a continuous theme throughout the Point Edwards Development. He particularly noted the trellises added in the parking area to give vertical relief as requested by Board Member Broadway. He referred to the rockery retaining wall located along the southern property line. While this is a difficult place to grow plant material, there will be pocket planting space for vines and other plant materials to grow and cover some or all of the rockery as it matures. A visual relief buffer is proposed to the east of where the rockery ends. The buffer will wrap around the east end of the building into the amenity space and will be planted with a mixture of deciduous and evergreen shrubs, as well as perennials, grasses, and deciduous trees.

Mr. Jammer advised that the proposed amenity space would include a fire pit, outdoor grilling area, and gathering spaces for multiple tables and chairs for enjoyment of the northern views to Puget Sound. A connection would be provided from the amenity space down to the street so that residents can walk along the existing overlooks available within the Point Edwards Development. He noted that a water feature would be provided to create some background noise to help diminish noise from cars, etc. The water feature would also provide a certain amount of relaxation. He advised that different pavement treatments would be used in the amenity space to provide some color relief and interest, and the area would be surrounded by more plant material that maintains the current theme at Point Edwards as a whole.

Rick Tompkins, Triad Associates, Kirkland, said he is the civil engineer for the project and was present primarily to answer any questions the Board might have regarding the proposal. He pointed out that the building would plug into an existing infrastructure that was extended and provided previously with the build out of the earlier phases of the Point Edwards Development. For example:

- The surface runoff from the surface parking area is collected in a system of catch basins and pipe and conveyed to an existing storm stub from a catch basin on Pine Street.
- The roof drainage from the various roof elements is collected in three different places and discharged in stubs to existing catch basins on Pine Street.
- The sewer stub was extended into the site about mid frontage and all of the project wastewater would be conveyed to that point and delivered to the sanitary sewer via the existing stub.
- A fire water vault was installed as part of the infrastructure improvements for the earlier phases to supply fire flow to the building.
- Domestic water will be served from a new meter service.

Mr. Tompkins summarized that, from a civil standpoint, not a lot of new infrastructure would be necessary to serve the property. Some minor street improvements would be required. Curb cuts were developed in three locations for earlier projects, and they will need to be adjusted. Some minor repair and/or relocation of the curb, gutter and sidewalk will be necessary to accommodate the new access locations. The on-street parallel parking area would be extended to the west, as requested by the staff.

Mr. Tompkins provided an aerial view of the property to give additional context with respect to storm drainage. Once again, he explained how surface water and roof drainage would be collected on site and connected to the existing stormwater system at Pine Street. This system drains through the lower phases and is treated in a large wet pond that was initially sized for the entire development. He said he needs to do additional work to confirm that the scope and scale of the improvements are what was anticipated. If not commensurate with what the original design called for, some minor enlargement or on-site stormwater treatment facilities will be necessary. He emphasized that stormwater retention is not a requirement of the project because of its proximity to Puget Sound.

Board Member Broadway asked Mr. Tompkins to confirm that the drainage from the surface lot is primarily from the southeast to the northwest where it will be picked up at the catch basin. Mr. Tompkins answered that all of the parking lot drainage flows towards the building and is intercepted in a shallow pavement swale that is directed to catch basins where it enters the piped system. Board Member Broadway asked if the water flows with the grade of the lot. Mr. Tompkins answered that the parking lot is graded to accommodate the flow to a series of low points where the catch basins are located. Board Member Broadway asked where the high point on the site is located. Mr. Tompkins said the high point is located along the base of the parking stalls in the southeast corner.

Board Member Broadway referred to applicant's new east wing rendering, which shows some shadow lines on the upper floor that would indicate that the top floor is set back. She asked the setback dimensions. Mr. Kolmer said the setback would vary anywhere from 3.5 to 5 feet, depending on the unit. He said he does not have an average number.

Chair Gootee asked the applicant to briefly compare the approved 2006 elevation drawing, the proposed 2012 elevation drawing, and the currently proposed elevation drawing. He specifically asked the applicant to identify how the ADB's comments were addressed. Mr. Kolmer pointed out that shed roof forms found in the 2006 and 2012 versions were changed to a more traditional roof design, and the top floor on both wings of the north façade was stepped back. In addition, the fenestration was broken into forms that are more representative of the other Point Edwards buildings, and the material orientation is more horizontal than vertical. The 2012 proposal had a more modern, clean approach, which was deemed unacceptable by the Board. The current proposal uses a more traditional approach with a prairie-style and northwest craftsman motif. Mr. Kolmer summarized that the direction from the Board in December had to do with changing the architectural style, the orientation and/or visual representation of the building being more horizontal as opposed to be broken down vertically. The Board asked that the window treatments be broken down further to appear more residential and consistent with the adjacent buildings. Again, he said the windows would be made by the same manufacturer who supplied windows for the adjacent buildings.

John Goodman, Principal in Edmonds Pine Street LLC, Edmonds, explained that the purpose of stepping back the building was to give more relief to the upper floor so it did not look like a straight wall of five stories. He said the applicant took to heart all of the Board's comments and tried to come back with a design they thought would be acceptable.

Megan McDonald, Edmonds, asked to view the 2006, 2012 and 2013 proposals together. She asked the applicant to share the reasons for the design changes that were made to the building since 2006.

Tom Wagner, Edmonds, said he was present to address three points that are interrelated: the size and bulk of the proposed building, the building's conformance to the site and the community, and the expectation of roof modulation. He referred to a picture of the proposed Building 10, which was used on the cover of the applicant's submittal but does not adequately depict the proposed design. The picture shows a nice pleasant building that slopes down from three to four stories. He said he would have no complaints about the bulk and size of the building in the picture. However, in reality, the applicant is proposing to increase the east wing from four to five stories, and the two wings would be loosely connected in the middle. The entire building would run roughly 320 feet along Pine Street. Mr. Wagner pointed out that the new proposal is shown in a composite of the two segmented profiles, and the citizens have not been presented with a profile drawing of the north face of the building.

Mr. Wagner said there are 57 respondents and 670 petitioners who are opposed to the project and believe the proposed design does not work for Point Edwards. The public perception is that the proposed project is too massive; would not fit the community, neighborhood, and terraced hillside; is inappropriate and not small scale as referred to in the PEMP; and too dominating on the skyline. Mr. Wagner suggested there are two conflicting concepts for height: the engineering definition and the commonsense citizen definition. The commonsense definition and the public expectation is that the height is measured from the top to the bottom, and what you see is what you get. The engineering formula, on the other hand, does not simply identify the height of the building. Mr. Wagner noted that the proposed building is below grade, which increases the total height to 58 feet. In addition, the 12.5 to 13-foot rise from the adjoining sidewalk would result

in a 71-foot structure. He emphasized that this is what the public will see, not a 35 or 40-foot building. Mr. Wagner provided profile pictures of the current proposal and the design that was approved in 2006. He expressed his belief the flat roof, lack of modulation, and skylight enclosures are unacceptable. He asked the Board to require the applicant to go back to the 2006 roof design if they want modulation in the roof and siding.

Jeff Yocum, Edmonds, referred to a letter he submitted to the City on April 23, 2013, which contains an extensive discussion based on the ADB's own comments in approving the original design plan. He commended the staff for the recommendations in the report, which reflect a clear, cogent and comprehensive evaluation. He said that while one of the common elements of the Edmonds Bowl is slope, the topography on the subject property is unique. To assure clarity in the methods to measure on the slope, the code specifically provided three illustrations and examples. From both the illustrations and the language, it is clear that the rectangle used for the height calculation is to encapsulate the walls of the building. He said the PEMP states, "to encourage appearance of smaller building masses, building height will be calculated separately for each clearly separated portion of the building." This statement is also expressed in Footnote 2 in ECDC 16.75.020. Based on this statement, Mr. Yocum expressed his belief that the height of the building should be measured with two rectangles, one for each building segment. In doing so, the allowed height for the eastern portion would drop. The applicant has used one rectangle, which has been expanded far towards the rockery, which is the high point of the subject property. That significantly increases the apparent mass of the building from the northern exposure. He said the applicant has argued that the underground parking is part of the building; and therefore, the rectangle is expanded out past it. If one considers servicing elements part of the building, why not include underground electrical, piping or anything else that requires soils to be moved.

Mr. Yocum said the City's current approach for determining height allows the applicant to maximize height, but that was not the intent when the PEMP was approved or the referendum passed. He said the stated intent was actually the exact opposite in the application of the code. Although the Staff Report states that the expansion of the triangle was allowed at the Gregory Development at 5th Avenue and Walnut Street, Mr. Yocum pointed out that property is not in the MP1 zoning and it does not present anywhere near the topographical challenges of the subject property. Using the Gregory Development for comparison is inappropriate.

Mr. Yocum referred to Page 6 of the applicant's proposal, which states that the mass of the building would be reduced by 25%. However, when taking a closer look, this calculation excluded the bolt-on decks and the subterranean garage. Apparently, these features are not part of the building. He asked why the rectangle used to measure the height of the building was allowed to circumvent the underground garage. He expressed his belief that the ADB should deny the proposal with height being one of many reasons. The ADB should find the proposed building is too long, massive, unbroken and monotonous, as is to be avoided under ECDC 20.11.030(4).

Carla Nichols, Mayor, Town of Woodway, referred to a letter she submitted previously to the Board. She recognized the importance of the ADB in preserving the community. She recalled that 12 years ago, then Mayor Haakenson approached the Town of Woodway with a request that they make some adjustments in the Woodway Highlands development, which they were in the process of approving. One of the requirements was to have a walking path between that development and Twin Meadows, which residents of Edmonds did not want. Mayor Haakenson asked that the walking path be deleted, and the Town of Woodway honored the request. She commented that that issue seems small compared to the proposed Building 10, which is a five-story building and 74 parking stalls located two or three yards away from residential homes in Woodway.

Mayor Nichols recalled that the Town of Woodway provided comments in 2002 regarding the Point Edwards Master Plan. The Town of Woodway supported the plan, but feels that the current proposal is a very significant deviation. She noted that both the staff and the applicant have commented that the new proposal is more responsive to several of the ADB's conditions. However, it is important to note that not all design objectives are the same. She said it seems quite clear that the primary issues of consistency and scale to the Point Edwards property have not been adequately addressed. This is repeatedly cited in the Staff Report, and it is important to remember. Changing the color of the building or changing the roof design will not address the issue of scale and consistency.

Mayor Nichols said the Urban Design Element contained in the City's Comprehensive Plan (Page 93) identifies the following general objectives

- Good design and site planning improves access and minimizes potential negative impacts to adjacent development (refers to Woodway and Point Edwards).
- Good design and site planning reinforces the character and activities within a district (refers to the master plan).
- Good design and site planning builds a more cohesive and coherent physical environment (refers to the sloped topography).

Mayor Nichols noted that many of the design objectives in the City's Comprehensive Plan speak to the proposal. These are listed on Page 2 of her letter and specifically include C.8.a, C.8.c, C.10.b, C.13.d, C.14.a, and C.14.d. She summarized that the Town of Woodway would support approval of the project if the following additional conditions were added:

- Drop the height of the building from five stories to four. The five story building is a deal breaker for Woodway. If that does not work, then the rest of the conditions do not really matter.
- The trellis should be required.
- The lighting for Building 10 and all of Pine Street should be decorative, architecturally appropriate lights.
- Traffic impacts to Woodway and Chinook Road are unknown. The developer should be required to consider any significant impacts and provide a traffic calming device at the intersection of Chinook Road and Pine Street.

Mayor Nichols concluded by commenting that a private party has been granted a right for a number of dwelling units in a development, which must be balanced with the rights of a community. The community has taken time to figure out what is important through design objectives. She asked the Board to please use them as they make their decision.

Lisa Elstrom Bauer, Woodway, said she cannot express her concerns any better than those who have spoken before her. However, she has some additional points related to the Puget Sound corridor. She commented that Point Edwards, Edmonds and so forth is not the skyline of downtown Seattle, and she does not think it should begin to look like that. She suggested people travel the corridor of Puget Sound in a boat and look at the greenery, landscape, and the buildings that have been put in place. She questioned how far out the infrastructure would change. She said she does not want that to be Edmonds' future. As far as the process and the changes that have to happen, she pointed out that the architects and engineers are the "big building guys." That is their job, and the ADB and staff are not here to make changes for them. They are here to make sure developers do it right do it right.

Ralph Swenson, Edmonds, noted that Building 10 is very large, with unusual numbers of extra cars to park. Building 10 is equivalent in number of condos to three other buildings across the street in Point Edwards, but has 2.5 times more small condos with only one parking space per unit. Many of these 54 small condos will have two working people per unit, and in many cases will have two cars per condo. There may be 20 to as many as 40 extra cars that are not accounted for in the regular parking system. The three or six off-street parking spaces suggested by the planners are simply not enough. Few other off-street parking spaces are available on this particular street, and other parking and bus service is far away. He suggested there is room to add up to 10 more spaces on Pine Street next to Building 10 if the sidewalk is redone. Mr. Swenson said now is the time to have the developer do this. The ADB should reject the developer's minimal offer of only three spaces. That is really ludicrous when you consider all of the small condos that would be developed. The ADB should require as many spaces as possible and recognize the unique parking needs of this isolated, short, hilly street with many extra cars.

Kristy Cufley, Edmonds, submitted a letter for the record. She echoed that when the City of Edmonds first granted approval for the Point Edwards project, it did so based on the good-faith belief that the developer would create a beautifully-landscaped project with a total of 10 similarly-appearing buildings. The developer was true to his word for

nine of the buildings, but for the 10th building has unfortunately deviated drastically and unacceptably from the original concept. This action has created suspicion, anxiety and frustration among the residents of Point Edwards as to just what the impact on them will be. It has also fueled community opposition, which would have otherwise been nonexistent if the developer had stuck to the original plan of even 60 units in Building 10. When the City approved the increase in the number of units in 2005, she cannot believe it ever dreamed that all of the increased units would be crammed into the last final building.

Ms. Cufley questioned what happened to the original representation that Point Edwards was to be developed and built as an aesthetically-pleasing and uniform residential community, consisting of 10 comparable structures. What happened to following the model, which is still on display in the sales office and clearly shows ten buildings all the same? She pointed out that the mock up of the completed Point Edwards project was relied on for years to demonstrate the finished product and help set the expectation for all that purchased homes at Point Edwards that future buildings would be similar to those already constructed. The very designation of "Building 10" implies that it is the tenth building in a series. She questioned why the final building is such an explosively different creature and how residents cannot be worried about the disruptive impact it will have on the Point Edwards community and the negative impact it will have on property values. Instead of welcoming with open arms into our community a building full of new neighbors, is it any wonder that they now worry about the divisive impact of an additional 85 families, who will not be part of the homeowners association. Instead of being shared, the existing amenities must now be segregated and their use policed. She asked if it is any surprise that the residents of Point Edwards now feel deceived and misled. She asked if the next topic of discussion would involve making the existing Point Edwards a gated community.

Ms. Cufley said there is no question that there are legitimate business interests in developing properties, and there is no question that the developer is entitled to realize a reasonable profit in doing so. What is questionable and what has become deeply objectionable, is the insistence on deviating from the original concept and intent. Rather than designing the final building to slip perfectly into place as the last piece of the beautiful Point Edwards puzzle, the developer has chosen to construct an 85-unit, bloated monstrosity that will adversely change the tenor and character of the neighborhood. She said it appears that insatiability for monetary profit has trumped commitment to creating a single, cohesive neighborhood with the consistency of design. She noted that 500 people live in Point Edwards, and she asked that the Board carefully consider all of the information they have been provided. She urged them not to lose site of the bigger picture and ignore notions of commonsense to reach an appropriate conclusion. Lastly, she invited the Board Members to visit the Point Edwards site and see for themselves.

Jenny Anttila, Edmonds, said she does not live in the Point Edwards Development, but she was present at the meeting when the City approved the Point Edwards Master Plan. She recalled that the plan was presented as a choice between Brightwater or Point Edwards, and of course everyone wanted Point Edwards. The decision of 45-feet in height was based on the oil tanks that were there. She said this serves notice to any citizen in Edmonds who cares about the City. She expressed her belief that the skyline would be deeply affected by the proposed plan. She questioned how the plan got changed to allow 350 units in 2005. She said it is important to consider how the project will impact the look of Edmonds. She expressed fear that the project could set a precedent and Edmonds could start to look like Kirkland. They really need to consider the size of the building, not just for the Point Edwards residents, but for how it looks in general. It will be a dominating skyline that will affect residents of both Edmonds and Woodway. The proposal shows the citizens of Edmonds how important it is to know the details of a proposal early in the process. Obviously, when the Point Edwards Master Plan was approved by the City Council, no one really thought of the hill factor and whether the top buildings should be proportioned so they are not such a massive scale. Now the problem has been presented back to the Board with a new proposal.

David Inadomi, Woodway, said he owns the residential home that is located directly south of the proposed new building. He said he finds it humorous that Mr. Gifford presented the applicant as a victim in the situation. He said he feels the same way. He said he already submitted a written list of his grievances, and the Board has already read them. He pointed out that "just because you can do something does not mean you should." He said the density and volume of the units at Building 10 are too big for the real estate. When the allowance was made in 2005 to increase the number of

units to 350, he did not think the spirit was to have it all concentrated onto one piece of property. Again, he commented that “just because you can, does not mean you should.” He pointed out that parking for the rest of the buildings at Point Edwards is located primarily underground. The decision to use surface parking for Building 10 will have a significant impact on his property, as it will direct a lot of traffic in front of his home with the accompanying noise, volume, unsightliness with lighting, etc. The decision not to have enough space for adequate vegetation will create problems for concealment. Providing more underground parking would result in more space for landscaping to screen the parking area. He said he would be very interested in working with the applicant’s landscape architect to address his concerns, regardless of the outcome of the Board’s decision.

Mr. Gifford said he appreciates the comments and concerns raised by the citizens. He clarified that the developer did not propose additional on-street parking spaces in the area where the driveway cut will be replaced. This was suggested by staff to address citizen concerns about inadequate on-street parking. The applicant is happy to meet this condition, subject to any code and engineering limits that might exist. He said the landscape architect would be happy to work with Mr. Inadomi to address his concerns about landscaping on the southern property line, as well.

Mr. Gifford expressed his belief that the proposed building is in full compliance with all of the provisions of the development code, the Comprehensive Plan, the Urban Design Guidelines, and the Point Edwards Master Plan that has been in place for over a decade. The applicant has tried hard to accommodate the request of the City staff, the ADB and the citizens of Edmonds. They believe they have a fully compliant building, and they hope the Board will approve it.

Monica Martin, Edmonds, said she walks a lot around the Point Edwards area, she rides the Sounder train, and she knows the terrain. The area is high sloped and not wide. There is a lot of traffic and parking. The grade where you come up around Building 45 down to Eagle’s Nest is a blind spot. She has often seen people coming over, up and down Woodway. Increasing the amount of traffic based on this building does not compute. Even as it exists right now, it is a safety hazard. She said she has seen people almost be hit, and cars almost run into each other coming over the slope. None of these issues have been addressed in the proposal. She said she walks everywhere, and she sees what is happening to safety, given the traffic implications of the development as it currently exists without any additions that are part of the current proposal.

THE PUBLIC PORTION OF THE HEARING WAS CLOSED.

Board Member Schaefer commented that the greatest concern appears to be the mass (height) of the building. If this issue is dealt with properly, many of the other issues can also be resolved. Relying on the 2006 ADB approval to address height needs to be tempered with the fact that the maximum height was calculated differently in 2006 than for this proposal. The 2006 approval should be taken with a grain of salt, because it was not being approved for the same elevation. Five stories in 2006 is not the same as the five stories proposed today. He said the current proposal may have a smaller horizon footprint, but that is because parking was moved out of the building and into surface parking.

Board Member Schaefer said he supports staff’s recommendation to lower the east wing by one story. He recalled that when the Point Edwards Development was first proposed, it was an Italian-style hillside terrace concept. The idea was to step the buildings up the hillside. He referred to the photograph of the proposed building, which was presented in the amendment package. He noted that the lay out of Building 6 to Building 9 and the west wing of Building 10 represents a terrace approached that conforms to the hillside, but that is not the case with the jump that occurs from Building 5 to Building 8 to the east wing of Building 10. Board Member Schaefer summarized that the general movement in design over time has resulted in changes to not only the content of the building, but the shape of the building, as well. Moving parking to a flat space behind the building at the high point of the property is causing some of the problems.

Board Member Broadway said she feels like she is being pulled into a “love triangle.” As Mr. Lien explained, the proposed design meets the code. As long as the design meets the code and the ordinances within the zoning code, any other comment is outside of the ADB’s scope. Commenting on height when the proposal meets the code goes beyond the Board’s responsibility. On the other hand, she appreciates Mr. Inadomi’s observation that “just because you can,

does not mean you should.” There is a conscientiousness about design. She said she was adversely against the design that was presented in December, and she appreciates the applicants’ effort to redesign the proposal. She said she knows that was no small fete to accomplish. Lastly, Board Member Broadway commented that determining the building envelope is the first step in the process. She is concerned that the City is now asking the developer to change the building envelope after the majority of design work has been done. She questioned what would have happened if Michelangelo got to the end of carving David only to have the Medici family who commissioned the statue to say he is foot too tall, cut the head off.

Chair Gootee questioned if asking the applicant to eliminate the top floor on the east wing would go above and beyond what the ADB requested in December. He reminded the ADB of their goal to be consistent with all applicants. They provided direction and parameters to the applicant in December, which are met in the new design. While he struggles with the mass of the building, the Board cannot keep changing the parameters. Board Member Schaefer pointed out that in addition to reviewing projects for code compliance, the ADB is also responsible for interpreting and applying design guidelines. The City has design guidelines, district plans, etc. for the ADB to work with when reviewing proposals. There are also project-specific design guidelines, and he believes the proposal is very different from what was envisioned a decade ago. While there are questions about how this happened, he said he believes the proposal has extended far beyond the intent of the Point Edwards Master Plan. Much of the development at Point Edwards mirrors the original sketches, but Building 10 would be an anomaly.

Vice Chair O’Neill agreed with Board Member Broadway that both the ADB and the City staff provided guidelines and criteria, and he believes the applicant’s new proposal addresses each of the concerns stated by the Board in December. The Board never once recommended that the building envelope should be smaller, and he expressed concern about the changing the guidelines now. He summarized that the applicant did an admirable job of changing the design of the building as requested by the Board, and he does not believe the height of the proposed building varies from the 2006 design, with the exception of perhaps a few feet. Again, he said he does not see how the Board can change direction from the guidelines they provided to the applicant in the past.

Board Member Walker concurred with Board Members O’Neill, Gootee and Broadway. He recalled that at their December meeting, the Board was in agreement with the very specific things they asked the applicant to do. Changing the building envelope was never mentioned. He said it would be helpful for staff to further explain the recommendation that the east wing of the building be reduced to four stories.

Board Member Guenther also agreed that, at their December meeting, the Board did not identify any concerns regarding the bulk of the proposed building. The Board agreed that the proposal met the zoning code as far as height, etc. He expressed his belief that it is inappropriate for the Board to start talking now about pulling the floor out of the east wing. At their last meeting, the Board talked about the consistency of the building with the rest of the site, and issues regarding landscaping and design materials were also raised. The applicant’s new design addresses the Board’s concerns, and a sample board of materials was also provided as requested by the Board. Height should not be a topic of the Board’s current discussion. The building is approaching being consistent with the rest of the site as far as materials. It is not a cookie cutter, but it is not meant to be. In the current proposal, the landscaping, materials, scale, and articulation of the façade is more appropriate with the rest of the site. However, he noted there are few trees near the entrance that might create sight distance problems and be a safety hazard for pedestrians. He summarized his belief that the proposal is consistent with the design guidelines.

BOARD MEMBER O’NEILL MOVED THAT THE BOARD APPROVE FILE NUMBER PLN20130022 WITH THE FOLLOWING CONDITIONS:

- 1. ON-STREET PARKING IS REQUIRED TO BE ADDED AT THE LOCATION OF THE EXISTING NORTHERN DRIVEWAY APPROACH WHICH IS NO LONGER BEING USED BY BUILDING 10. THE ON-STREET PARKING AREA EAST OF THE DRIVEWAY APPROACH SHALL BE**

EXTENDED WEST TO PROVIDE APPROXIMATELY 3 ADDITIONAL ON-STREET PARKING SPACES.

2. A TRELLIS NO TALLER THAN 6 FEET WITH ASSOCIATED PLANTINGS SHOULD BE INSTALLED ADJACENT TO THE TOP OF THE ROCKERY ON THE SOUTH SIDE OF THE SURFACE PARKING AREA AND THE APPLICANT SHOULD WORK WITH THE ADJACENT PROPERTY OWNER TO PROVIDE ADDITIONAL SCREENING LANDSCAPING.
3. THE APPLICANT MUST APPLY FOR AND OBTAIN ALL NECESSARY PERMITS. THIS APPLICATION IS SUBJECT TO THE REQUIREMENTS IN THE EDMONDS COMMUNITY DEVELOPMENT CODE. IT IS UP TO THE APPLICANT TO ENSURE COMPLIANCE WITH THE VARIOUS PROVISIONS CONTAINED IN THESE ORDINANCES.
4. HEIGHT CALCULATIONS ARE REQUIRED WITH THE BUILDING PERMIT APPLICATION IN ORDER TO DEMONSTRATE THAT THE PROJECT COMPLIES WITH THE HEIGHT REQUIREMENTS OF THE MP1 ZONE.

BOARD MEMBER WALKER SECONDED THE MOTION, AND THE MOTION CARRIED 5-1, WITH BOARD MEMBER SCHAEFER VOTING IN OPPOSITION.

CONSOLIDATED PERMIT APPLICATIONS (No Public Participation)

There were no consolidated permit applications to come before the Board.

ADMINISTRATIVE REPORTS/ITEMS FOR DISCUSSION

Mr. Lien announced that a major project on 5th Avenue will be presented to the Board for review on June 5th. The presentation will likely be followed by a public hearing on July 17th. Also on June 5th, Planning Board Members Valerie Stewart and Ian Duncan will make a presentation regarding sustainable development.

ARCHITECTURAL DESIGN BOARD MEMBER COMMENTS

There were no Board comments.

ADJOURNMENT:

The meeting was adjourned at 9:58 p.m.