

PLANNING BOARD MINUTES

August 8, 2001

Chair John Dewhirst called the regular meeting of the Planning Board to order at 7:00 p.m. in the Council Chambers, Public Safety Complex, 250 – 5th Avenue North.

PRESENT

John Dewhirst, Chair
Beverly Lindh, Vice Chair
Virginia Cassutt
Bruce Witenberg
Joanne Langendorfer
Stan Monlux
Cary Guenther
Jim Crim

ABSENT

STAFF PRESENT

Rob Chave, Planning Division Manager
Stephen Clifton, Community Services Dir.
Arvilla Ohlde, Parks and Recreation Mgr.
Karin Noyes, Recorder

APPROVAL OF MINUTES

MOTION BY MR. WITENBERG, SECONDED BY MS. CASSUTT, TO APPROVE THE MINUTES OF JULY 11, 2001 WITH THE FOLLOWING CORRECTION TO PAGE THREE, SECOND PARAGRAPH, FIRST LINE, CHANGE “DEFENDED” TO “DEFINED.” MOTION CARRIED.

ANNOUNCEMENT OF AGENDA

There were no changes made to the proposed agenda.

REQUESTS FROM THE AUDIENCE

There was no one in the audience to address the Board during this portion of the meeting.

PARKS AND RECREATION QUARTERLY REPORT

Arvilla Ohlde referred the Board to the quarterly report that was provided in their packets. She reported on the following items:

- When the utility rates went up last fall, the money collected from utility taxes also increased. This increase in tax revenue allowed the City to consider utility bonds for capital projects they have been waiting to do. She advised that on July 31, 2001 staff presented the Implementation Plan for Bond Capital Projects to the City Council, and they voted to issue bonds and secure public works loans to accomplish the following projects:

- ❑ Frances Anderson Center will be remodeled to include seismic reinforcement, window replacement, plumbing piping replacement, restroom remodel, electrical and lighting, and stairwell enclosure. She noted that there are over 1,000 participants using the center each day and it is important that the valuable facility is maintained and preserved for future use. The projects identified will take place over a three-year period.
- ❑ The flat, terraced roof on the library, which has provided a benefit to the citizens of the community, will be replaced. The library district will fund half of the roof repair, as well.
- ❑ The Snohomish County Council has notified the City of Edmonds that they have been awarded a \$223,000 grant for the acquisition of 7.48 acres of property from the Edmonds School District for a much needed neighborhood park in the Esperance area. The City will now begin discussions with the district and start the purchase and sale agreement.
- ❑ The Comprehensive Park Plan is near completion. The arts committee finalized the cultural arts element, and a draft document will be presented to the Board soon. The youth assessment portion of the Comprehensive Pan has been finalized, as well, and was presented to the City Council on August 7. This plan identifies the important needs of the children in the community and was created by collecting data from children in the Edmond School District. The public urban design document is progressing and will address issues such as street trees, flower program, etc. Staff is working with a team of consultants to collect data. A draft has been created and will be presented to the City Council's community services committee in September. It will then be presented to the Board for review.
- ❑ New playgrounds have been installed at many of the parks in the City. More recently, new playgrounds were put in at the Frances Anderson Center and Seaview Park. Staff will be getting information out to the public to encourage them to visit the new playgrounds.
- ❑ The flower program is in full swing and really spectacular this year. As a civic program, the Edmonds in Bloom group has provided a number of activities that enhance the civic pride as well as compliment the public flower programs provided by the City and Port. An awards ceremony for this year's competition will be held on August 19, 2001. She noted that the private flower program is essential to instilling community commitment, pride and beautification.
- ❑ Staff is still working with the engineers to redesign the mid-waterfront bulkheads.
- ❑ The City Traffic Engineer is working on the two-way road verses one-way road issue at City Park.
- ❑ Staff is working to prepare comprehensive descriptions for all projects in the 2002-2007 Capital Improvement Plan.
- ❑ On July 18 the IAC Committee voted to approve the project list and Marina Beach received some of the funding provided through the legislature.
- ❑ On July 25, the House Resources Committee voted to support the CARA Bill, which gives great momentum for fall when the bill is expected to go to the floor for a vote. She noted that Congressman Jay Inslee was instrumental in this effort to ensure that land and water conservation funds come back to the state for project funding.

Mr. Dewhirst said that he has heard that the public urban design plan does not include Highway 99. Ms. Ohlde advised that the consultant concentrated too much on the downtown area in his presentation to the public, but when he presented his report to the staff, Highway 99 was a part of the plan. She said she would make sure that Highway 99 is included, but she noted that the plan would focus on the gateways coming into the City from Highway 99.

Mr. Dewhirst inquired if Ms. Ohlde has reviewed the draft design guidelines that are currently being considered by the Board. Ms. Ohlde said that a consultant has been reviewing this document. Mr. Dewhirst suggested that Ms. Ohlde review the document, as well, particularly that portion of the document that allows private citizens to plant trees in the public rights-of-way if there is not space on the site for the required ratio. Coordination with the street tree program is important if this option is allowed.

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Mr. Witenberg said he is amazed and excited about the work the Parks Department has done for all sectors of the City. He is also impressed by the amount of grant funding the parks staff has been able to obtain for City park projects and the attention they pay to the various age and interest groups to provide something for everyone.

PRESENTATION BY STEPHEN CLIFTON REGARDING UNOCAL CLEANUP, EDMONDS CROSSING AND BRIGHTWATER

Brightwater and Edmonds Crossing Projects

Mr. Clifton referred the Board to the information packet he provided prior to the meeting. It includes a written report that was presented to the City Council's Community Services Committee on June 26, 2001 as an update of projects currently being worked on by the Community Services Department staff. Additionally, the packet includes a letter dated July 26 regarding the compatibility of developing the Edmonds Crossing Project and the Brightwater Treatment Plant on the same site. The packet also provides a list of significant activities that have taken place since July 26 and several diagrams to illustrate the Edmonds Crossing Proposal and the Brightwater Treatment Plant Site Selection Process. He specifically referred to the drawings that were provided last week by King County to illustrate how the Brightwater Treatment Plant and Edmonds Crossing projects could function properly on the same site.

Mr. Clifton displayed an overhead map and described some of the components of the Edmonds Crossing Project. He also reviewed the background of the project. He said the City's primary focus, at this time, is to issue the final Environmental Impact Statement (EIS), and that is what he and the consultants are working on right now. Once the City has received a letter of decision, they will be able to move on with the design phase of the project.

Using the overhead map, Mr. Clifton described some of the elements of the project. He particularly noted that the proposed project would hold 850 cars, which should relieve congestion on SR-104. The project would also include a shared parking garage to meet the parking needs for the ferry commuters. Eventually, it is anticipated that a multi-modal facility would be constructed to connect the ferry terminal with the rail service. He advised that staff is trying to move into protective purchasing which would allow the City to obtain grant funding to purchase the Marina Beach property before a record of decision has been obtained. He is working with the government agencies to secure the necessary funds before the closing date of the purchase and sale agreement. He noted that one of the significant benefits of the project would be the daylighting of Willow Creek.

Ms. Lindh inquired why the City has to pay to purchase property for the Edmonds Crossing project, since this project will benefit the Department of Transportation. Mr. Clifton explained that there is not sufficient State or Federal funding to purchase any part of the Edmonds Crossing Project at this time. However, there is \$1.4 million in grant money which can be used to purchase the necessary rights-of-way between the railroad tracks, the shoreline, and the park with matching funds. Since the state does not have money to purchase this property now, the City needs to move forward to do so. This will allow the City to secure the property at a lower price than it could cost in the future. He concluded that the idea is to make the project as marketable to the State as possible, and purchasing the land would be a huge step in the right direction. This would show the State and Federal Governments that the City is serious about the project. However, he emphasized that State and Federal funding would pay for most of the Edmonds Crossing Project.

Mr. Monlux inquired if staff anticipates any difficulties in getting the necessary permits to build the proposed breakwater. Mr. Clifton said the breakwater is the most complicated part of the project, but it is necessary. He said the City Engineer's consultant has indicated that he is comfortable that the design will meet the regulation requirements.

Ms. Langendorfer inquired if any retail opportunities would be included in the Edmonds Crossing Project. Mr. Clifton advised that retail activities could be added to the site later as part of the multi-modal project. However, the Edmonds Crossing plans would not necessarily preclude commercial or retail activities.

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Ms. Lindh inquired if the State can make the decision to locate the Brightwater Project on the UNOCAL site even if the City is opposed to the project. Mr. Clifton explained that King County is the regional governing body, and they have the authority to decide where the regional treatment plants will be located for Pierce, King and Snohomish County. Executive Sims will make the final decision. Mr. Clifton noted that the Edmonds Crossing oversight committee members have all indicated their support of Modified Alternative 2, with the exception of the Department of Ecology, who abstained.

Mr. Clifton advised that while the Brightwater and Edmonds Crossing projects could be mutually exclusive of each other, he did not feel that the citizens of Edmonds would support the Brightwater Project if the Edmonds Crossing Project is not included as part of the plan. He said that even though the City does not have the ability to make the final decision regarding the Brightwater Project, they should be proactive. If the UNOCAL site is selected for the Brightwater Project, then it is important that King County come to the City on the City's terms.

Mr. Witenberg noted that the City's input does not control whether Brightwater is located on the site or not. He questioned whether or not the City would receive more mitigation monies if the Brightwater Project were to exclude the Edmonds Crossing Project. Mr. Clifton explained that the County would be required to give ten percent of the total cost of the project to the community for mitigation purposes, which is about \$45 million in this case. The City staff is seeking clarification from the City Attorney on whether or not the mitigation dollars could be used to fund the Edmonds Crossing Project. If the mitigation dollars could be used as leverage for federal grant money, there is a good chance that federal grant funding could be obtained for the Edmonds Crossing project. However, if the money has to be used for other types of mitigation, the treatment plant would provide no benefit to the Edmonds Crossing Project.

Mr. Clifton said that another option that UNOCAL is considering for the upper yard is private residential development. He said the City's finance department is putting together information regarding the benefits to the City of both the Brightwater Project and residential development. He said that it would be difficult to generate \$45 million in tax revenue from residential development to match the mitigation fees the City could collect from the Brightwater Project.

Mr. Dewhirst inquired when King County would address some of the issues of concern so that the City Council can provide information to the public and make a decision. Mr. Clifton said that, at this time, the City Council is concerned that the Brightwater Project designs are not compatible with the Edmonds Crossing Project designs. They have asked King County to provide alternative designs showing how both uses could be constructed compatibly on the site.

Mr. Monlux inquired regarding a time line for the Brightwater Project. Mr. Clifton explained that the County is hoping to narrow the number of sites to five or fewer by fall. They will then move into the environmental process and make the announcement of the final site in 2003. They are hoping to start construction in 2005 or 2006 with the project being completed in 2010. Phase 1 of the Edmonds Crossing Project would start in 2005, with Phase 2 completed by 2015. He noted that the Edmonds Crossing Project would be operational when Phase 1 is completed.

Sound Transit

Mr. Clifton reported that Sound Transit's consultant has been presenting planning concepts to the technical advisory committee every month, but the committee dismissed the first concepts. Over the past few months, the plans have been revised, and some perspective and conceptual drawings will be available for review in September. He noted that the advisory committee unanimously approved the new drawings. They will now discuss issues such as platform width and parking. He advised that the railroad requires an 18-foot separation between the track centers and the width of the platform. This results in a significant constraint on the amount of area available for Railroad Avenue and future train platform improvements. They will also work to address the issue of efficient bus service for commuters.

Mr. Clifton advised that Burlington Northern/Santa Fe recently gave their engineers authorization to do preliminary plans for this project, and they should be completed in September. The Port of Edmonds owns the property impacted the most by the project. Therefore, City staff has requested that Sound Transit communicate closely with the Port. Because of funding shortfalls for the north track improvements, the proposed start up date has been pushed back at least a year from the date that was originally anticipated. It is now estimated that completion of the project will be in the spring of 2003.

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Public Facilities District

Mr. Clifton advised that on April 24, 2001 the City Council voted to form a public facilities district (PFD). The Council appointed a PFD Board and a joint meeting between the board and the Council was held. By laws were adopted and an interlocal agreement was approved between the City Council and the PFD Board. The board selected Property Counselors as the consultant for the market demand and feasibility study, and on August 15 they will meet with the consultant to discuss the project in more detail. It is anticipated that the consultant will be able to present the marketing and feasibility study to the PFD Board on October 4, 2001. A revised draft, based on the board's comments, will be provided to them at their next meeting on November 2, after which the entire report will be presented to the Council for consideration. Mr. Clifton noted that the City must turn dirt on the project by January 1, 2003 in order to continue to collect the tax that has been allocated for the project. He further explained that in order to obtain matching funds from the County, the City must have a project for consideration by the end of 2001.

Edmonds Crossing and Brightwater Projects

Mr. Dewhirst inquired what role the Planning Board would play in the Brightwater and Edmonds Crossing Projects. He suggested that both of the projects are outside of the Board's jurisdiction. Mr. Clifton advised that unless the Council decides that they want to move in another direction and change the land use or zoning designations on the UNOCAL site or consider a Development Code or Comprehensive Plan change, the Board's role will not be significant in either of the processes. There will be public meetings related to some of the projects such as the UNOCAL site clean up, Sound Transit, etc. and the Board members can attend these meetings. He can also provide quarterly updates to the Board.

Mr. Witenberg commended the staff for the tremendous amount of work they have done related to the Edmonds Crossing Project. He referenced the misconception by some of the members of the public that the City is letting other agencies make decisions that effect the City without providing input. Based on the information provided by Mr. Clifton, it is apparent that is not the case. The City has been involved for a considerable period of time and has provided expertise to represent the best interest of the City. He said it is important that this information gets out to the community to allay the public concerns.

Mr. Clifton concluded his presentation by reviewing the history of the Edmonds Crossing project, particularly noting the many opportunities for public involvement. He asked that the Board members contact him at any time with any questions they might have regarding the previously discussed projects.

THE BOARD TOOK A TEN-MINUTE BREAK AT 8:25 P.M. THEY RECONVENED AT 8:35 P.M.

WORK SESSION ON DESIGN GUIDELINES AND POTENTIAL CODE AMENDMENTS TO IMPLEMENT THE DESIGN GUIDELINES

Mr. Chave referred the Board to the new draft design guidelines which reflect the comments made by the Board at their previous meeting. He noted that there are still a few photographs that need to be replaced, but the staff is in the process of incorporating the document into the Edmonds Community Development Code (ECDC). However, the number of changes to the ECDC are greater than what staff had anticipated and they are not ready for the Board's review at this time. Staff anticipates that the code revisions will be available to the Board for review prior to the next meeting.

Mr. Chave advised that the entire design guidelines document, with the exception of the objectives, would be incorporated into the ECDC as Chapters 20.10 and 20.12. However, he noted that while the guidelines will be adopted as part of the code, the "should" and "shall" terms have been defined to clearly identify those guidelines where flexibility is allowed.

Mr. Dewhirst said it was his understanding that some parts of the document would be codified in the ECDC, and other parts would not. Mr. Chave replied that staff tried to make it clear that the objectives would become policy statements, but that the

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remainder of the document would be included in the development code as guidelines. The terms “should” and “shall,” as defined, allow flexibility. Mr. Dewhirst inquired if the stakeholders group understands that the guidelines will all be in the code. Mr. Chave answered affirmatively. However, it is important that the Board clearly review each of the code changes to make sure that the intended flexibility is provided for and that they are consistent with the intent of each of the design guidelines.

Ms. Lindh said it was her understanding that when the guidelines were developed, the review process would also be changed to require ADB review early in the process using the design guidelines. Mr. Chave said the intent is to publish design guidelines that would be compatible with the existing review process as well as any new process that is established in the future.

REVIEW OF PROPOSED NEW MIXED-USE AND MASTER PLAN ZONING CLASSIFICATIONS

Mr. Chave referred the Board to the preliminary draft of a new business and residential mixed-use zone (BR) that was prepared by staff as directed by the Board. The proposed zoning classification could be used to implement mixed-use zoning in places within the City where it is planned to occur, especially the Medical/Highway 99 Activity Center. He also referred the Board to the excerpt from the existing Comprehensive Plan, which addresses the goal and policy direction for the Medical/Highway 99 Activity Center.

Mr. Chave referred to the purpose section of the preliminary draft, and stated that it is important that this section clearly identify the Board’s intent in creating the new zone. It is also important that the uses allowed in the zone are compatible with the existing uses. He recalled that the Board’s intent in proposing the new zoning designation was to create a zone that would allow more intensive uses than what is currently allowed in the existing multi-family or commercial zones. The proposed new zone would have a substantially greater height limit because views are not an issue. There is no minimum lot width, area requirements or side or rear setbacks proposed unless the property is located next to a residential zone, in which case, a setback would be required. He also noted that in order to be consistent with the design guidelines and to protect the streetscape, inclusion of a step down setback concept would be appropriate for buildings that are greater than 50 feet in height. Single-family development would be a permitted use in the proposed zone to acknowledge that this zoning designation could be used in areas that are in a transitional state. Staff is concerned that in these situations, existing residential uses not become non-conforming when the new zone is applied.

Mr. Crim questioned if it would be appropriate to allow development up to 75 feet instead of the proposed 50 feet, if adequate step back requirements are in place. Mr. Dewhirst noted that 50 feet is not even enough height to allow a four-story structure. Mr. Chave said the Board needs to discuss where this type of zone could be used before making a decision on the maximum height. He said that staff recommends that the new zone not be used on Highway 99, where the high-density commercial zone is currently located. However, just off of Highway 99 there are a number of areas where the proposed zone could be used. Because some of these areas are close to single-family residential zones, staff is recommending that a step down requirement be included for development over 50 feet in height. Mr. Dewhirst inquired if the step down concept is covered in the proposed design guidelines. Mr. Chave answered affirmatively, but Mr. Dewhirst noted that the design guidelines only reference a 25-foot height limit.

Mr. Dewhirst suggested that the purpose section of the proposed language clearly identify the benefits of expanding the economic tax base for the City of Edmonds. He noted that if the City is trying to encourage the expansion of the tax base, perhaps Items 3, 4 and 5 on Page 1 of the draft document should be eliminated.

Mr. Guenther pointed out that because there would be no density limits in the new zone, the density bonus allowed for low-income housing could not be applied. Therefore, there is no need to list low-income housing for the elderly as a separate item. He also inquired if joint parking could be an option. Mr. Chave answered affirmatively and explained some of the issues that must be considered in order for this use to be allowed in the new zone.

The Board agreed that Items 3, 4 and 5 on Page 1 of the draft should be deleted.

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Mr. Dewhirst also noted that the proposed language does not include a definition for mixed-use. Mr. Chave recalled a previous Board discussion that there should be no mandatory mixed-use component in the proposed language. Mr. Dewhirst recommended that either illustrations or better definitions be provided to clearly identify the purpose of the new zone. Mr. Dewhirst also suggested that all of the medical uses allowed in the new zone should be called out in the proposed language. Mr. Chave cautioned that this could create a situation in which a use that should be allowed in the zone is prohibited just because it was not listed as an allowed use specifically.

Mr. Witenberg referred to Item C.6 on Page 2 and inquired if there is a definition in the code for the term “current alcoholics and drug users.” Mr. Chave said there is no specific definition, but the term is used in other sections of the code, as well. The Board expressed concern about limiting treatment facilities to “current alcoholics and drug users,” and they recommended that staff work with the City Attorney to come up with more appropriate language.

Next, the Board discussed what the proposed height limit should be. Mr. Dewhirst noted that 65 feet would allow a six-story building, which is double what is currently allowed in the neighboring communities. Mr. Guenther pointed out that a six-story building would require about 13 feet per floor in order to get the entire infrastructure in place. He suggested that 75 to 80 feet would be a better estimate of height to allow up to six stories. Mr. Dewhirst emphasized that this would be double what is allowed in multi-family zones, and the new zone could act as a buffer between the multi-family and high-rise commercial zones.

Mr. Chave advised that under the existing high-rise general commercial zoning designation, a conditional use permit is required for development that exceeds a certain height limit. He suggested that the Board discuss whether or not they want to allow six stories out right or if they want to allow greater heights if a conditional use permit is obtained. He noted that the currently proposed language would allow development of up to 50 feet without a conditional use permit. Mr. Crim suggested that a conditional use permit requirement for development over 50 feet would allow the public and the City an opportunity to participate in a review of the possible impacts. This would allow the City the ability to make sure that the transition area is successful. The provision could always be removed in the future.

The Board agreed that the height limit in the new zone should be 50 feet. If a conditional use permit is obtained, the height limit would be 80 feet. Mr. Chave inquired if the Board would like to require a one-for-one setback requirement for development over 50 feet in height. The Board indicated that they did not want to pursue the concept of a one-for-one setback requirement.

Mr. Chave advised that staff would update the draft document for the Board’s review at their next meeting. Staff would also provide a map of the area that is being considered for the special zone.

REVIEW OF EXTENDED AGENDA

The Board discussed that the next meeting would be August 22, 2001, at which the design guidelines and the special zone issues would be discussed again. Mr. Chave advised that the Comprehensive Plan amendments are being held up by the design guidelines. Once this component is finished, staff would forward the amendments to the Council for consideration.

PLANNING BOARD CHAIR COMMENTS

Mr. Dewhirst advised that Mr. Bowman inquired if the Board members would like to have their packets delivered to the Francis Anderson Center earlier than the Friday afternoon before each meeting. The Board indicated that the current delivery process and time is appropriate, and no changes are necessary.

PLANNING BOARD MEMBER COMMENTS

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Mr. Monlux announced that he would be resigning from the Board at the end of the month in order to travel extensively. He said he would miss his participation on the Board and working with all of the Board members.

Ms. Lindh inquired regarding the proposed PRD ordinance that was forwarded to the Council for review. Mr. Chave reported that the City Council would be holding a public hearing regarding the proposed ordinance on August 28. The staff would be holding a work session with the Council prior to the public hearing.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, THE MEETING WAS ADJOURNED AT 9:30 P.M.

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