

PLANNING BOARD MINUTES

October 10, 2001

Vice Chair Lindh 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

Beverly Lindh, Vice Chair
Cary Guenther
Virginia Cassutt
Bruce Witenberg
Jim Crim

ABSENT

Joanne Noel
John Dewhirst, Chair

STAFF PRESENT

Rob Chave, Planning Division Manager
Arvilla Ohlde, Parks & Recreation Director
Darrell Smith, Traffic Engineer
Francis Chapin, Cultural Resources Coord.
Brian McIntosh, Assistant Parks Director
Karin Noyes, Recorder

Ms. Noel and Mr. Dewhirst were excused from the meeting.

APPROVAL OF MINUTES

MOTION BY MR. CRIM, SECONDED BY MS. CASSUTT, TO APPROVE THE MINUTES OF SEPTEMBER 26, 2001 AS SUBMITTED. MOTION CARRIED, WITH MR. WITENBERG ABSTAINING.

ANNOUNCEMENT OF AGENDA

There were no changes made to the proposed agenda.

REQUESTS FROM THE AUDIENCE

Roger Hertrich, 1020 Puget Drive, informed the Board of a recent incident in which a citizen appealed a Hearing Examiner decision through the legal process. In this particular situation, the citizen felt that some trees that were cut in a low growing situation constituted a hedge. However, the Hearing Examiner determined that the trees could not be classified as a hedge because of their potential height. He recalled that this same situation was discussed several years ago, as well. However, the issue was never resolved. He asked that the Board direct the staff to bring this subject before them for review. It is an important issue to the public, and it is time to deal with it on a planning basis instead of a legal basis.

PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE TRANSPORTATION ELEMENT OF THE COMPREHENSIVE PLAN

Darrell Smith, Traffic Engineer, provided a quick overview of the City of Edmonds 2001 Transportation Element Yearly Update. He said the update focuses on accommodating House Bill 1487 that was passed by the 1998 Washington State Legislature. This bill called for local governments to assess State-owned transportation facilities within their jurisdiction. For Edmonds this involves Highway 99, SR-104 and SR-524. The City was required to inventory these facilities and

identify the general character and traffic conditions that currently exist, as well as project the future traffic growth. The City hired a consultant, Transpo Engineering, to create this report. They inventoried the existing facilities, assessed the local and State requirements and prepared a report of the conditions.

Mr. Smith explained that the Engineering Department used this report to prepare the yearly update, which consists of two inserts that deal specifically with the level of service requirements on the State routes. The intent is to be consistent with the other arterial streets, and therefore, staff recommends a level of service D for all three of the State routes. Next, they reviewed how this level of service classification would impact development along these routes. As written, the State and City must retain a level of service D on SR-104, which is identified as a "Highway of State Significance." However, because it is a "Highway of State Significance," the City does not necessarily have to make developers achieve that level of service at all times. They cannot force the developers to maintain a level of service D. They can, however, encourage them and work with them to get the best level of service possible. But if there is one small spot along that route that creeps to a level of service higher than D, the City would not have to stop all growth in the City. They could work on that spot to correct the issue of concern, instead.

Mr. Smith recommended that the Board make a recommendation of approval to the City Council for adoption of the 2001 Yearly Transportation Update.

Roger Hertrich, 1020 Puget Drive, referred to the new traffic study that was done—particularly related to SR-524, which he lives on. He said the report indicates that traffic has increased by about 300 cars on that street over the past five years. However, the information on Page 8 (Attachment 5) indicates that the growth was actually 2 percent annually over the past five years. This would amount to an increase of traffic on SR-524 of about 194 cars per year. He asked that this number be corrected.

THE PUBLIC TESTIMONY PORTION OF THE HEARING WAS CLOSED.

MOTION BY MR. WITENBERG, SECONDED BY MR. CRIM, TO RECOMMEND THAT THE CITY COUNCIL ADOPT THE PROPOSED AMENDMENT TO THE TRANSPORTATION ELEMENT OF THE COMPREHENSIVE PLAN (FILE NO. CDC-2001-137) TO BRING THE CITY INTO COMPLIANCE WITH HOUSE BILL 1487. MOTION CARRIED UNANIMOUSLY.

PUBLIC HEARING ON THE DRAFT 2001 COMPREHENSIVE PARK, RECREATION AND OPEN SPACE PLAN

Ms. Ohlde advised that in light of the fact that there is only one citizen in the audience, and the minutes from the last presentation are concise, staff does not intend to make a significant presentation of the documents at this time. However, she noted that Ms. Chapin and Mr. McIntosh are also available to answer any questions the Board might have.

Roger Hertrich, 1020 Puget Drive, referred to the Park, Recreation and Open Space Plan and stated that there appears to be a lot of information provided for citizens who are looking for things to happen in Edmonds. However, he expressed his concern about Page 6-22 of the Action Plan. He noted that in the action plan, staff recommends a number of new staff positions in the City. He questioned whether or not that would be wise given the current economic situation. He suggested that perhaps this should be reconsidered. Budget wise, he said he felt there should be some marked reduction in the level of service that is provided by the City in order to stay in the black. He asked that staff indicate whether the recommendations need to be implemented right now or in the future when the City can better afford them.

Mr. Hertrich said his main concern was related to the Youth Assessment Report, which he said he finds confusing. While the document says a lot of things, it is not very specific. The report identifies needs, but it does not identify any action to address the needs. He said he finds the document highly lacking. He noted that if the asset charts are compared to charts from an average school system, the numbers would be similar. The average school system has a number of children on the low end of the scale, and they are not making it in school. The risk level for these students is always higher. He suggested that it is unrealistic for the City to expect to bring all youth up to the 40 percent asset level. He said he would like to see

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programs to help the kids on the lower end, something that could contribute to their success later in life. While he agrees that they need to have after school activities, they don't all have to be sports related. They could provide opportunities for the youth to learn valuable skills that can be used later in their lives. Mr. Hertrich concluded that while he is not critical of the concept of addressing the needs of the youth, the document that has been provided is a fairly useless piece of literature.

THE PUBLIC TESTIMONY PORTION OF THE HEARING WAS CLOSED.

Ms. Ohlde referenced Mr. Hertrich's comment regarding Page 6.22 of the plan. She noted that the intent of the plan is to identify the existing and future needs. The plan must identify these needs regardless of what is happening with the economy. Identifying the needs does not necessarily mean that they will be implemented. Each of the needs will be considered by the City Council, and they will decide which ones should be funded and implemented.

Regarding the Youth Assessment Report, Ms. Ohlde agreed that the document is vague in regards to specific programs for implementation. She explained that how to deal with teens and teaching them life skills and how to make good decisions for their future has always been a difficult issue to address. Until now, there has never been a team to work with the school district, non-profit agencies and the City to identify the needs of the youth in the community. While the study is vague as far as an action plan, it does identify the strengths and weaknesses of the youth. The document will be used by various groups who work with the youth in Edmonds. Specifically, she said the Parks Department would be using the document as a tool to measure the success of their programs. As new programs are implemented, the staff will identify how the new programs can have a positive impact. She concluded that all of the youth programs will be based upon this report with the goal of increasing the assets for all youth in the City.

Mr. Crim said that he found the measures that were taken of the internal and external assets of the youth in the community to be a wonderful tool. He said he is pleased that the City has been able to find a tool to measure this extremely difficult issue. Now that the City has a baseline, they can go forward to improve the current situation. He commended the staff on creating the document.

Mr. Witenberg referred to the funding issue that was raised by Mr. Hertrich. He pointed out that funding for future needs does not always come from the City's budget. There are also grant opportunities for funding. Therefore, it is important that all of the needs be identified so that staff can start to explore all available opportunities for funding. He advised that the public should not interpret this to mean that the funds have to come directly out of the City budget. He also said it is important to identify all of the needs so that the City can balance the tax dollars that are available based on the needs that have been identified by the community.

Ms. Ohlde shared an example of possible grant funding. She pointed out that one of the significant needs identified by the community is more technology opportunities, which has become a significant recreation activity. Nationwide, parks departments are considering ways to provide technology centers for the community to use. Grants are being offered for pilot programs in communities to provide network and technology centers within community recreation facilities. This is one type of grant the City could explore as a way to meet a community need.

MOTION BY MR. CRIM. SECONDED BY MR. WITENBERG, TO RECOMMEND THE CITY COUNCIL APPROVE CDC-2001-132—DRAFT COMPREHENSIVE PARK, RECREATION AND OPEN SPACE PLAN AS PROPOSED. MOTION CARRIED UNANIMOUSLY.

REVIEW OF EXTENDED AGENDA

Mr. Chave referred the Board to the packets that were provided just prior to the meeting related to the joint ADB/Planning Board meeting that will be held on October 17, 2001. He noted that there would be no Board meeting on October 24. The Board discussed the process that would be followed for the joint meeting, and Mr. Chave noted that the City Attorney would also be present to address the Board's questions and concerns.

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Mr. Witenberg recalled that the Architectural Design Board (ADB) had originally asked that they be given an opportunity to work with the new design guidelines before any changes to the design review process are considered. However, the Planning Board has voiced concerns that the design guidelines cannot be implemented until the design review process is in place, as well. Mr. Chave reminded the Board that the City Council is on record as saying that they want the ADB review to take place early in the process at the conceptual design stage. However, they did not specify how the rest of the process should work.

Mr. Witenberg recalled that the City Attorney has advised that if the ADB is involved in the pre-design review process, they would not be able to act as a quasi-judicial body and make a final decision. Therefore, Mr. Witenberg suggested that there may only be one alternative for the review process: the final design would be reviewed by the Hearing Examiner, and there would be an opportunity to appeal his decision to the City Council.

Mr. Chave agreed that is one possible solution, but it all depends upon the pre-design process. He said the City Attorney has expressed that there could be the risk of the ADB being unable to reach an unbiased quasi-judicial decision on the final design if they were also involved in the pre-design review. However, he pointed out that the City of Redmond holds a public meeting up front and their Architectural Design Board has the opportunity to review the conceptual plans. This is followed later with the quasi-judicial public hearing. Redmond interprets this as being only one public hearing, but Mr. Chave said that in his mind if there is a public meeting with people speaking, it could be considered a public hearing.

Mr. Chave said another option would be for the ADB to meet with the applicant without public testimony to provide initial feedback and then come back later in the process for a public hearing. Ms. Lindh said that her vision of the review process is for the ADB to meet with the applicant early to determine if the preliminary plans meet the design guideline requirements. Then they could hold a public hearing on the final design proposal at a later date. Mr. Chave this would mandate a preliminary review process that is really optional at this time.

Mr. Chave said another option would be for the ADB to review the proposal in the early stages and staff could then analyze the final design based on the ADB's preliminary review and identify whether or not the proposal is consistent with the design guidelines. If not, they could require that adjustments be made.

Mr. Witenberg suggested that it would be helpful if staff could provide some kind of chart showing the alternatives that are available for consideration. Mr. Chave said that staff has already started working on this document, and it should be available in the Board members' boxes by Friday.

Mr. Chave pointed out that one of the most difficult issues to address is the coordination of the SEPA review process, as well. Because only one public hearing can be held, a SEPA determination has to be issued before the public hearing for design review can take place. This could be done with an informal meeting to review the application against the design criteria, but no public comment would be allowed.

Mr. Witenberg suggested that the ADB should not be precluded from acting on the issue as a quasi-judicial body just because they provide comments in the pre-design meeting. He said his concern is that the ADB is a community board with a technical expertise that the Hearing Examiner may not have. The Hearing Examiner is also only one person, where the board consists of many individuals.

Mr. Chave said the recommendation found in the Cedar River Study uses the design professionals at the conceptual design phase and lets the design guidelines regulate the final designs. The ADB, logically, could be more of a design guidelines board. They will know, as the projects develop, where the guidelines are met and where changes need to be made.

Mr. Witenberg suggested that the Council has not specifically told the Board that the ADB review has to take place early in the process. The Board should take the time to study and explore the alternatives and make a recommendation that they feel is appropriate to the Council. The Council can then analyze the Board's recommendation and hear what the public has to say before making a final decision. He suggested that perhaps there has been some miscommunication in believing that the Council has told the Board what the outcome must be.

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Mr. Chave advised that the Council has indicated that they want the design review to happen early. Mr. Witenberg agreed, but noted that they did not say that is what the Board's recommendation has to be. The Board can make whatever recommendation they want to make. There are arguments based on the context of the study and some of the public testimony to support the Council's point of view, but there are also arguments to the contrary.

Mr. Witenberg reminded the Board of the ADB's request to work with the guidelines before any changes are made to the review process to see if the design guidelines can cure some of the defects that have been identified related to the review process. It may be that, based on the near finished design guidelines, the ADB has changed their position.

Mr. Guenther said that while the Board decides what the review process should be, they should keep in mind that the developers want to finish in the least amount of time possible. They need to develop a process that is advantageous to the developers while at the same time protective of the City. It is important that the design decisions are made early on. He said he is against using the design guidelines for a test period before addressing the design review process because this would stall developers. The City needs to make the changes to the review process and implement the design guidelines at the same time. Mr. Crim concurred.

PLANNING BOARD CHAIR COMMENTS

Ms. Lindh provided no comments during this portion of the meeting.

PLANNING BOARD MEMBER COMMENTS

There were no Board member comments during this portion of the meeting.

THE MEETING WAS ADJOURNED AT 8:05 P.M.

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