

Approved November 12th

**CITY OF EDMONDS
PLANNING BOARD MINUTES**

October 8, 2008

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

BOARD MEMBERS PRESENT

Michael Bowman, Vice Chair
John Dewhirst
Judith Works
Don Henderson
Philip Lovell

STAFF PRESENT

Rob Chave, Planning Division Manager
Duane Bowman, Development Services Director
Mike Thiess, Code Enforcement Officer
Karin Noyes, Recorder

BOARD MEMBERS ABSENT

Cary Guenther, Chair (Excused)
Jim Young (Excused)
John Reed (Excused)

READING/APPROVAL OF MINUTES

It was noted that the minutes of July 23, 2008, should be changed to indicate that Board Member Reed's absence was excused.

BOARD MEMBER WORKS MOVED THAT THE MINUTES OF SEPTEMBER 24, 2008 BE APPROVED AS CORRECTED. BOARD MEMBER DEWHIRST SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

ANNOUNCEMENT OF AGENDA

No changes were made to the agenda.

AUDIENCE COMMENTS

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

TEMPORARY BUILDINGS AND TEMPORARY USES

Mr. Bowman referred the Board to the examples that were provided in the staff report to illustrate the various types of temporary buildings and uses that are located throughout the City. He also provided a slide presentation of additional examples. He noted that temporary structures are typically used to cover recreational vehicles (RV's) and other vehicles.

Mr. Thiess explained that the City receives numerous complaints associated with temporary buildings and temporary uses. The concerns are generally related to their size and location. He pointed out that the City's current code does not allow garages and carports within the setback areas, so it doesn't make sense to allow temporary buildings and uses in the setbacks, either. Mr. Bowman advised that another issue with temporary buildings is cargo or shipping containers. Staff would like direction as to whether or not these types of structures should be allowed to locate within the City. As proposed, the draft language would allow the temporary use of portable storage containers for a limited period of time.

Board Member Lovell inquired if the regulations for temporary structures are enforced on a complaint basis, or if the City searches out these situations to rectify the violations. Mr. Thiess answered that that while there are currently 85 complaints on the books at this time, the City does not currently enforce the temporary structure standards because they are vague and unclear. The purpose of the discussion is to clarify the standards to identify what is and is not allowed. He explained that the City has traditionally interpreted the standards to require compliance with the normal setbacks, and temporary structures are limited in size to no more than 120 square feet. Anything larger would require a building permit, which could not be obtained due to snow and wind loads. Rather than issuing an interpretation, staff felt it would be best to clearly codify the City's position on temporary structures.

Mr. Bowman reviewed the proposed amendments as follows:

- **Section 17.70.000 – Security Units.** The draft language would permit temporary security units in residential zones for a period of up to six months. However, given the complexity of development projects, staff believes six months might not be enough time for developers to complete their work. Staff proposes that “six months” be changed to “one year.”
- **Section 17.70.010 – Other Temporary Buildings.** Section 17.70.010 currently requires a conditional use permit for temporary buildings in all zones. Oftentimes, the cost of a conditional use permit heard by the Hearing Examiner exceeds the cost of the temporary buildings. A more equitable process would be to have temporary buildings reviewed administratively by staff, and any appeals to the staff's decision would be heard by the Hearing Examiner.
- **Section 17.70.035 – Temporary Storage Units.** The language proposes new definitions for the terms “canopy,” “cargo or shipping container,” and “tent.” No shipping containers would be allowed in single-family residential zones. However, portable storage containers would be allowed for up to 15 days in a calendar year. In addition, the draft language would provide regulations for tents, tarps and canopy structures that are located in residential zones. No conditional use permit would be required for temporary storage units that are compliant with all of the current code requirements.

Vice Chair Bowman questioned the average size of the portable carport covers that were shown in the illustrations provided earlier by the staff. Mr. Bowman said the average size of these structures is about 200 square feet. Mr. Bowman explained that the purpose of the proposed amendments is to clearly define what the City will and will not allow and how temporary structures will be defined. He said staff recommends that temporary structures that are greater than 120 square feet should be regulated the same as permanent structures. Board Member Dewhirst asked where the number 120 came from. Mr. Bowman answered that this number came from the Unified Building Code and is based on the load the internal supports can carry, etc.

Board Member Works suggested the draft language also include a definition for the term “temporary.” Mr. Bowman agreed to add this definition to the draft language prior to the public hearing. He noted that temporary structures are typically not permanently attached to the ground. Board Member Works suggested that staff keep in mind that someone could secure a temporary structure to the ground, but it would still be a tent. Since fabric is a pliable material, she also suggested the proposed definition for “tent” be changed to add the word “other” before “pliable.”

Board Member Works asked if staff contacted other jurisdictions to learn how they regulate temporary buildings and uses. Mr. Thiess answered that the City of Mukilteo does not allow temporary structures in residential zones, no matter what size. Mr. Bowman pointed out that property owners always have different needs for temporary structures, so it would probably not be appropriate to prohibit their use. A more appropriate approach would be to create clear standards to regulate their use. For example, if garages and carports are not allowed within the setback areas in single-family zones, then temporary

structures should not be allowed in the setbacks, either. If the Board agrees to conduct a public hearing on the draft language, staff could research how other cities handle temporary structures and forward that information to the Board.

Board Member Lovell pointed out that a 120 square foot temporary structure would not even be large enough to cover a car. He suggested this requirement be adjusted to be more reasonable. He noted that a common size for temporary structures is about 200 square feet. Mr. Bowman pointed out that the International Building Code recently changed their size limit to 240 square feet, but the Edmonds code currently limits the size to 120 square feet. If the Planning Board wants to change this number, an amendment to Title 19 would also be required. He added that, even if the number were adjusted to 240 square feet, some of the larger temporary structures that are currently located in the City would be found in violation, especially those that are designed to cover large RV's. Board Member Dewhirst suggested staff present two options for consideration at the public hearing; one with a 120 square foot limit, and another that allows a larger size.

Mr. Bowman summarized the Board's direction as follows:

- Bring back information that talks about how other communities deal with temporary structures and uses.
- Check with the Building Official about whether or not it would be possible to increase the size limitation for temporary buildings.
- Present two options for the public hearing and carefully describe the impacts of each one.

Board Member Henderson expressed his belief that limiting portable storage units to a maximum of 15 days in a calendar year would be too tight. The Board agreed that 30 days would be a more reasonable number. Mr. Bowman agreed to check with companies that rent the storage units to find out the typical time period for which these structures are used. Board Member Lovell noted that storage companies deliver these units to residential properties. Once they are filled, they are hauled away for storage. The companies bring them back from time to time upon the request of a property owner. Board Member Henderson suggested a more appropriate limit would be up to 10 days at a time and no more than 30 days in a calendar year. Mr. Bowman agreed to research trends with the storage companies, but use "30 days" for the public hearing. Mr. Thiess emphasized that temporary storage units would be regulated on a complaint basis, and they would not become an issue in most situations. However, it is important to provide standards to address situations that go beyond what is typical.

Board Member Dewhirst recommended, and the Board concurred, that the term "residential lots" should be changed to "residentially-zoned lots."

Mr. Bowman agreed to make the changes identified by the Board and schedule the draft for a public hearing in the near future.

REVIEW OF FINAL DRAFT OF PLANNING BOARD RECOMMENDATIONS REGARDING PROPERTY PERFORMANCE STANDARDS CHAPTER 17.60

Mr. Bowman presented the updated draft of the proposed amendments to Chapter 17.60 – Property Performance Standards. He recalled the Board requested an opportunity to review the updated draft before forwarding it to the City Council.

Board Member Dewhirst recalled that when the Board last reviewed the document, they agreed that Section 17.60.040 should be changed to allow vehicle storage on one side yard of a property only. Mr. Bowman agreed to make that change.

BOARD MEMBER WORKS MOVED THAT THE BOARD RECOMMEND THE CITY COUNCIL APPROVE THE FINAL DRAFT OF THE PROPERTY PERFORMANCE STANDARDS (CHAPTER 17.60) AS AMENDED. BOARD MEMBER DEWHIRST SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

UPDATE ON FIRDALE VILLAGE CODE PROPOSAL BY A.D. SHAPIRO ARCHITECTS

APPROVED

Tony Shapiro, A.D. Shapiro Architects, was present to review the following four “core” issues related to the Firdale Village proposal and seek direction from the Board:

Parking Requirements

Mr. Shapiro explained that the site happens to be located on a transit line, and they are hoping to reduce the parking requirements to one space per unit. He noted that the City of Seattle allows this parking reduction to occur in certain areas of their city. He advised that, as proposed, the residential component would be slightly increased over what the City currently allows. He noted that many municipalities have reduced the parking requirements for commercial space to three or four stalls per 1,000 square feet of space, except for restaurant uses which typically have greater parking requirements. He noted that the final draft language would clearly identify which commercial and residential uses the reduced parking standards would apply to. He emphasized that allowing a reduction to the parking standard would not limit a future property owner’s ability to construct more parking stalls than required.

Board Member Dewhirst said he would need more information about the number of residential units proposed before he could make a recommendation in support of a parking reduction. Mr. Shapiro emphasized that, at this point, no specific development has been proposed for the subject property. It could be developed into a variety of residential uses, including extended stay care for the elderly, condos, etc. He pointed out that an extended stay care facility would likely have less demand for parking than a condominium, and condominiums typically require a greater parking ratio than apartments.

Board Member Dewhirst inquired if guest parking would be required on top of the minimum parking requirement, or would the parking spaces that are provided for the residential and commercial uses be shared. Mr. Shapiro answered that in a mixed-use setting, guests of the residential units would be able to utilize the parking spaces provided for the commercial component. He advised that no detailed master plan has been prepared for the site, but they did prepare three preliminary master plan options, which estimated the site could be developed with approximately 120 residential units and 40,000 to 70,000 square feet of commercial/retail space. The plans call for a parking garage that provides approximately 400 stalls, and about 90 parking surface parking spaces could be provided, as well. He emphasized that below-grade parking is very expensive, and he questioned if the property is valued high enough to warrant a parking structure that costs between \$25,000 and \$30,000 per stall to construct.

Again, Mr. Shapiro pointed out that the City of Seattle has allowed a reduced parking standard to one stall per unit in some areas. However, these are typically located in areas of higher density than what is anticipated at Firdale Village. Since this will likely be the future trend, it will be important to attempt to foresee the demand for parking in the long-term. Reducing the parking requirement to one stall per residential unit would allow flexibility for the developer to meet the future market demands. He summarized that the currently density in the Firdale Village area and its proximity to transit service would warrant a reduction in the parking requirements.

Mr. Chave suggested that rather than reducing the parking requirement to one stall per residential unit, Mr. Shapiro’s proposal could recommend the concept of shared parking. When residential parking demands are the greatest during the evening hours, the commercial parking spaces could be utilized by the residential tenants. During the daytime hours, the residential spaces could be utilized by the commercial tenants. However, the regulations would have to be written in such a way that none of the parking spaces would be exclusive to one use or another. This concept might allow a developer to get to the parking numbers identified earlier by Mr. Shapiro. He cautioned that if all of the commercial parking spaces were reserved for commercial tenants, there would be no overflow parking available for guests and visitors of the residential units. He recommended that the language be written to ensure the shared parking spaces are available for all uses on the property. Utilizing this concept, a developer could be allowed to reduce the number of parking spaces to one per residential unit. He cautioned that the examples shared by Mr. Shapiro from the City of Seattle were applied to areas that are more dense and located closer to strong transit services. He noted that potential development in Firdale Village would not likely result in a significant increase in transit service.

Board Member Dewhirst suggested staff work with Mr. Shapiro to come up with a more concrete approach for parking. He said another option to consider would be to require a parking master plan study. Mr. Shapiro expressed concern that requiring a parking master plan would throw in an additional risk and a certain level of uncertainty for potential developers.

This could result in a reduction in property value. He explained that the clearer the standards are the better. He said he would support the implementation of a shared parking concept as described earlier by Mr. Chave. The Board agreed the concept of shared parking should be considered further.

Building Heights

Mr. Shapiro pointed out that the language in the current Comprehensive Plan would permit a 4-story development on the Firdale Village property. The Community Business – Edmonds Way and Multi-Family Residential – Edmonds Way designations permit slightly higher development, as well. He noted that the Community Business – Edmonds Way designation allows higher buildings because it is located in a valley, and the topography of the Firdale Village site is very similar. He said he anticipates that the commercial aspect of a future development would be located in the core or center of the site and facing onto Firdale Avenue. They are proposing a building height of up to 39 feet for the commercial/retail portion of the site, and most of the commercial buildings would be two stories high. He said he would expect the ground floor commercial space to have a 14-foot floor-to-floor height and the second floor would be 12. He summarized that a 39-foot height limit would permit flexibility for the developer to also construct three stories in some areas if they were to reduce the floor-to-floor height of the office space on the second floor. He said the proposed language does not identify a minimum floor height requirement, as does the BD1 zone.

Mr. Shapiro said the housing component of the project would likely be placed at the rear of the property against the hillside. He proposed that the height limit for the residential component be set at 48 feet, with an additional 4-feet of height for sloped roof designs. He pointed out that this additional four feet of height may be necessary to provide the amount of insulation that is now required for projects. He cautioned that if the height limit is too strict, it would not allow developers to construct a variety of building designs. Board Member Henderson inquired about the height of the existing buildings on the site. Mr. Shapiro said this is difficult to determine because of the slope that exists on the site, and the back building is built into the slope. However, he estimated that the existing building in the center of the property is likely between 25 and 35 feet high to the top of the gable roof. He noted that the new residential structures would back up against the hillside, and he proposed that the mature fir trees currently located on the slope would be preserved as part of the required setback area. He further proposed that a retaining wall be placed against the existing rockery.

Mr. Chave invited Mr. Shapiro to share his thoughts on how height would be measured on the Firdale Village property. Mr. Shapiro answered that the proposed language would use the same method that is currently used elsewhere in the City. He emphasized that, regardless of how height is measured, the proposed language would not allow development that is greater than four stories in height. He referred to his recent project in another location on Edmonds Way where the height limit was set at 45 feet, with an additional 5 feet for a sloped roof design. He said it was difficult to meet the height requirements and still provide creative design. Board Member Works agreed it is important to allow developers to be creative.

Board Member Dewhirst agreed that the Firdale Village site is interesting because it is located in a bowl and a large apartment complex is located on one side. He agreed that this is one area where the City could consider allowing some additional height. However, he suggested that this is an opportunity for the City to obtain a public benefit (open space, setbacks, etc.) from the developer in exchange for the height bonus. He said he would rather see a project that has taller buildings and more open space that could be utilized by the public.

Open Space Requirements

Mr. Shapiro noted that, as proposed, a developer would be required to set aside 20% of the site for open space, and this would not include the parking areas. The open space would be visible and open to the public. He referred to three preliminary master plans that were prepared for the property, and emphasized that they have not been analyzed in great detail at this point. He noted that two of the three plans would meet the 20% requirement, and the third would fall slightly short. He expressed his belief that providing open space that is attractive to the public would be necessary for the viability of the project, and he hoped the Board would feel that the 20% ratio would be sufficient to obtain this objective. He provided pictures to illustrate various types of open space options. Board Member Dewhirst pointed out that because walkways would be required as part of the project anyway, perhaps they should not be counted as part of the open space requirement. Again, he invited Mr. Shapiro to point out what benefits the public would receive by allowing a greater height at Firdale Village.

Mr. Shapiro replied that one public benefit would be a viable development that attracts neighbors and businesses and provides a place for people to gather and enjoy themselves. He said that would be the developer's goal, as well. He explained that when people want to come to the center, it will push up the lease rates. On the other hand, if the developer were to significantly reduce the amount of open space that is provided as part of the project, the lease rates would likely go down. Board Member Works expressed her belief that as long as the proposed development is consistent with the Comprehensive Plan, the City would receive a huge improvement over what currently exists on the property. This, in turn, would generate additional tax revenue for the City.

Board Member Dewhirst recalled that the proposed plans for the Waterfront Properties went over and above what would be allowed by the City's currently regulations. As a result, the proposal did not get support from the community. He pointed out that because Mr. Shapiro would have to sell his concept to the City Council and the public, it is important to clearly point out the public benefits the proposed changes would provide, particularly in exchange for the additional height. Mr. Shapiro agreed to redraft the proposal in a manner that presents the question of open space in a different fashion.

Signage Requirements

Mr. Shapiro said he still agrees with the Board's previous direction that monument signs should be prohibited. However, there is a need to provide definitive signage at the street edge. While they are not proposing to use the traditional monument sign design, they are hoping the sign criteria would permit the developer to work with a low-slung sign that has a visual link to the project. This ground mounted sign would advertise the name of the center, but it would not advertise the individual tenants. The individual tenants would advertise their businesses on the wayfinding signs that would be located throughout the property. The Board expressed support for a low-slung sign design that fits in with the design of the project.

Board Member Dewhirst asked how the City would regulate the maximum signage allowed on the site. Mr. Chave answered that one option would be to reference the existing sign standards for the downtown, and then add some exceptions that could be applied to this site only. He explained that the downtown signage standards are more restrictive as far as freestanding signs.

REVIEW OF EXTENDED AGENDA

Mr. Chave advised that at the next meeting, staff may be ready to present information related to potential code amendments for the multi-family residential zones. In addition, Mr. Bowman may have additional materials related to amendments to Title 20.

Mr. Chave referred to the new cover sheet format that staff used for the Planning Board packets. He noted that this format comes directly from the City's on-line agendas. He expressed his belief that while the agenda format is somewhat limited, it still provides the information the Board typically wants. He invited the Board Members to share their thoughts on the new format, as well.

PLANNING BOARD CHAIR COMMENTS

Vice Chair Bowman announced that his store, C'est la Vie, has been nominated for a "Best in Washington Award" in the category of "gift stores." He noted that several other stores in the area have been nominated, as well.

PLANNING BOARD MEMBER COMMENTS

Board Member Lovell reported on the activities of the Aquatic Center Citizens Advisory Committee. He advised that interviews were held with the four consultants on September 26th, and a selection has been made. He said he expects the Parks and Recreation Manager would report on the selected consultant when he gives his presentation at the next meeting. He recalled that he originally reported that the study would be completed by the end of December, but now completion is not

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anticipated to occur until the beginning of March, 2009. He noted that the consultant team would study the existing Yost Pool as one option. He said the selected team consists of a local architect as the lead and two nationally-known pool recreation consultants. This same team is currently working on a study for the City of Lynnwood, so they are familiar with the area and the local market. The study project would include a public survey and a public input component.

ADJOURNMENT

The Board meeting was adjourned at 8:35 p.m.

APPROVED