

APPROVED OCTOBER 24TH

**CITY OF EDMONDS
PLANNING BOARD MINUTES**

October 10, 2012

Vice Chair Stewart 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

Valerie Stewart, Vice Chair
Kevin Clarke
Todd Cloutier
Bill Ellis
John Reed
Neil Tibbott
Ian Duncan

STAFF PRESENT

Rob Chave, Development Services Director
Gina Janicek, Planner
Kernen Lien, Planner
Carrie Hite, Parks, Recreation and Cultural Services Director
Rob English, City Engineer
Jerry Shuster, Stormwater Manager
Stephen Clifton, Community Services/Economic Development Director
Karin Noyes, Recorder

BOARD MEMBERS ABSENT

Philip Lovell, Chair

Vice Chair Stewart introduced Shukri Farey, Edmonds Woodway High School Student, who has been selected to serve as student representative to the Planning Board. She noted she is present to observe the meeting tonight and would sit on the dais with the Board at the next meeting.

READING/APPROVAL OF MINUTES

BOARD MEMBER REED MOVED THAT THE MINUTES OF MARCH 28, 2012 BE APPROVED AS AMENDED. BOARD MEMBER TIBBOTT SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

ANNOUNCEMENT OF AGENDA

The agenda was accepted as presented.

AUDIENCE COMMENTS

Natalie Shippen, Edmonds, recalled that at the their last meeting, the Board considered proposed language from the City Attorney that would note the distinction between the Harbor Square property and the other properties located within the Downtown Master Plan District of the Downtown/Waterfront Activity Center. The City Attorney's recommended language recognized that what is done at Harbor Square could influence later actions on the remaining properties in the district, mainly allowing the same height. She noted that this language does not appear to have been included in any of the documents that were provided for the Board's continued discussion tonight. If the Board recommends approval of the Harbor Square Master Plan, their recommendation should include some details as to why this property is different from the others in the district.

PUBLIC HEARING ON FILE NUMBER PLN20120029 – A Type IV-B rezone proposal to change the zoning designation on three parcels from Single-Family Residential (RS-8) to Multi-Family Residential (RM-2.4). The Comprehensive Plan designation for these properties was amended last year from "Single Family Urban 1 to Multi Family Medium Density. The sites are located at 8609, 8611 and 8615 – 244th Street Southwest. (Applicants: Sid Odgers and Ken Darwin)

Ms. Janicek displayed a zoning map to illustrate the location and current zoning of the subject properties. She reminded the Board that these are the same properties they reviewed last year as part of a Comprehensive Plan amendment proposal. The Board recommended approval of the Comprehensive Plan amendment to change the land use designation from Single Family Urban 1 to Multi Family Medium Density, and the City Council adopted the amendment as proposed. The applicants are now proposing to change the zoning from Single Family Residential (RS-8) to Multiple Residential (RM-2.4) to correspond with the Comprehensive Plan designation that was amended last year.

Ms. Janicek reported that no written public comments were received regarding the application, and no concerns were raised by City departments. She received one telephone call from a neighbor indicating support of the application and suggesting that both a preschool and a grocery store would be appropriate uses for the subject properties. She informed the citizen that while day cares would be permitted in the proposed new zone, a grocery store would not.

Ms. Janicek referred to Page 3 of the Staff report, which provides a comparison of the different zoning designations (RS-8, RM-2.4 and RM-3). She noted that both the RM-2.4 and RM-3 zoning designations are compatible with the Multi Family Medium Density land use designation. She reminded the Board that the applicant originally proposed a Multi-Family High Density land use designation, but this was not approved. She pointed out that the multi-family medium density zones provide a transitional buffer between the General Commercial (CG) zone along the Highway 99 Corridor and the single-family residential zones. She said staff recommends approval of the rezone as proposed.

Board Member Reed recalled that there is an uphill slope as you approach the subject properties. Ms. Janicek said the subject properties are located at the top of the hill and are quite flat.

Sid Odgers, Applicant, said he is one of the three property owners, and has lived on his property for 34 years. He explained that, over the years, the properties around him have all been redeveloped with two-story newer homes and condominiums. The houses on the three subject properties are all single-story and no longer fit into the character of the area. Because the properties are located adjacent to a condominium development, the property owners felt it would be nice to develop their properties as multi-family, as well. They believe the subject properties are an excellent location for multi-family development. They have good drainage, are relative flat, and very little soil would have to be removed to accommodate construction.

The public portion of the hearing was closed.

BOARD MEMBER CLARKE MOVED THAT THE PLANNING BOARD FORWARD FILE NUMBER PLN20120029 TO THE CITY COUNCIL WITH A RECOMMENDATION OF APPROVAL TO BE CONSISTENT WITH COMPREHENSIVE PLAN AMENDMENT THAT WAS ADOPTED BY THE CITY COUNCIL LAST YEAR. BOARD MEMBER CLOUTIER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

PUBLIC HEARING ON FILE NUMBER AMD20120007 – Capital Facilities Plan (CFP) Element update for 2013 – 2018 to City’s Comprehensive Plan and the Capital Improvement Program (CIP) for 2013 – 2018. The proposal updates the City’s CFP to include improvements, additions, upgrades or extensions of City infrastructure such as transportation, parks, and stormwater along with other public facilities necessary to implement the City’s Comprehensive Plan.

Mr. English presented the proposed Capital Facilities Plan (CFP) and Capital Improvement Plan (CIP) for the years 2013 – 2018. He noted that Mr. Clifton, Ms. Hite and Mr. Shuster also contributed to the draft document before the Board and were present to answer questions.

Mr. English reviewed that the CIP is budget driven. The information in the CIP helps staff prepare and develop projected capital needs for the upcoming year. The CFP is mandated by the Growth Management Act (GMA) and is an element of the City’s Comprehensive Plan. Both documents have a six year horizon, and the CFP goes beyond to a 20-year horizon for most elements. Both plans include capital projects, and the CIP includes maintenance projects, as well.

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Mr. English advised that the CFP includes three project sections: general (parks, buildings and regional projects), transportation (safety/capacity and pedestrian/bicycle projects), and stormwater. He said the proposed CFP includes the following changes:

- The Main Street Undercrossing Project is a mini version of the Edmonds Crossing Multi-Modal Project for the ferry terminal. The project would provide a crossing under Main Street to connect the ferry holding lanes to the loading dock at Main Street. There would be a grade separation between the transportation modes. Funding is proposed in the CFP for an initial study of what the project might look like and the associated costs. The initial cost estimate is between \$60 million to \$80 million. This smaller project would address not only the ferry access issue at Main Street, but it would also provide emergency access to properties located on the west side of the railroad tracks.
- The State Route (SR) 99 and 212th Street Intersection Project has been included in the 20-year CFP for a number of years, and has been moved to the list of 6-year projects in an effort to prepare future grant applications for funding. The project would add westbound and eastbound left turn lanes to improve the level of service (LOS) at the intersection.

Mr. English explained that the CIP has two project sections: general and parks. It is organized by the City's financial fund numbers and identifies preliminary estimates on six-year expenditures and revenues. He provided a chart to illustrate the various fund numbers, the types of projects in each, and the department that is responsible to oversee each fund. He pointed out that even with a limited amount of City funds available for transportation improvements, the City has been able to secure a significant amount of grant funding to complete large projects. He specifically referred to the 112 Street Fund and highlighted the list of projects the City is actively pursuing as follows:

- Construction is currently underway on the **Main Street Project**, which is expected to be completed by November 19th. Two grants (federal and state) were secured for the project, with some utility money as they are in the process of replacing a water line and adding stormwater improvements. The infrastructure between 5th Avenue and 6th Avenue will be rebuilt, and new sidewalks and street lighting would be installed. The project also includes a mid block pedestrian crossing.
- The City received a Federal Transportation Grant for the **5th Avenue Overlay Project**. A water line on 5th Avenue was replaced last year, and the roadway is currently patched. This project is scheduled to take place in 2013 and will provide a complete curb-to-curb overlay of this section of the roadway.
- The **Five Corners Roundabout** is currently in the design phase, and right-of-way acquisition will start soon. The project is scheduled for completion in 2013.
- Design for Phase 3 of the **SR 99 Lighting Project** will start in 2013.
- The City received grant funding to begin the design and right-of-way acquisition for the **228th Street Corridor Improvement Project** (between 76th Avenue and SR99).
- Preliminary design work was just completed for the **212th Street and 76th Avenue Improvement Project**, and they will move into final design and environmental review in 2013.

Board Member Ellis asked Mr. English to provide more information about "level of service" (LOS) and explain how it is used to justify projects in the CFP. Mr. English said LOS is a transportation term that measures how well traffic moves through an intersection and/or corridor, LOS A being the best and LOS F being the worst. There are different ways to measure LOS, but it is usually a measurement of how long it takes a car to pass through an intersection. To determine how an intersection behaves, the City collects traffic counts and enters them into a modeling software that gives information on LOS. From the modeling information, the City can project what the LOS will be at an intersection based on the Comprehensive Plan and the anticipated growth. He said the City's current LOS standard is Level D, which was set by the City Council after evaluating LOS as part of the 2009 Transportation Master Plan update. The Transportation Master Plan will be updated again in 2015.

Board Member Tibbott asked where the 5th Avenue Overlay Project would begin and end. Mr. English answered that it would start at Walnut Street and end at Elm Street.

Board Member Tibbott asked if it is correct to assume the City has all the funds in place for the projects identified in the CFP for 2013. Mr. English answered that funding has been secured for the 5th Avenue overlay, the signal cabinet improvements, and the Five Corners roundabout. They have funding for design and right-of-way acquisition for the 212th and 76th Avenue Improvements, but not for construction. The design and right-of-way acquisition is the initial step in preparing the City to apply for grant funding for construction.

Mr. English noted that 412 Utility funds are used for water, sewer and stormwater projects. He described the 2012 and proposed 2013 projects as follows:

- **Water Utility Fund.** By the end of 2012, the City will have replaced 3,800 feet of water mains, and they plan to replace 10,000 feet in 2013. The City also completed 2,000 linear feet of roadway affected by previous waterline replacement projects.
- **Sewer Utility Fund.** The City was awarded a \$4.5 million grant to rehabilitate nine sewer lift stations, which is a much needed improvement to help minimize the maintenance efforts needed to keep the stations operational. The City plans to replace and/or rehabilitate 5,600 feet of sewer main in 2013 and 1,000 feet of CIPP sewer mains. The Sewer Comprehensive Plan will also be updated in 2013.
- **Stormwater Utility Fund.** Drainage improvements on North Talbot Road were completed in August to correct a drainage problem associated with the Lynnwood Treatment Plant. Another drainage improvement is currently underway on Talbot Road next to Perrinville Creek. The City began a study of the Edmonds Marsh, which should be completed by the end of 2012 or early 2013. The City will replace 3,300 feet of storm drain pipe in the Edmonds Basin along 238th Street and 100th Avenue. The vector waste handling facility will be upgraded in 2013 to handle more waste and allow the City to increase the frequency of cleaning catch basins. This should improve the quality of water flowing into the creeks and Puget Sound. A high flow reduction study of Perrinville Creek and a drainage study of the Dayton Street and SR 104 intersection will be completed in 2013.

Ms. Hite shared the following highlights:

- **Park CIP 2012 Highlights.** The Interurban Trail and Hazel Miller Plaza were completed. There was a groundbreaking for the SR 99 International District Lighting Enhancement Project, and progress has been made on the 4th Avenue Cultural Corridor Improvement Project. The design and construction documents have been prepared for the Dayton Street Plaza Project and construction will begin in the next few weeks.
- **Parks CFP Highlights.** A public market project was added to the CFP, and the City is planning and setting aside money in the CFP for improvements at the Woodway High School Athletic Complex.
- **Real Estate Excise Tax (REET) 125 Highlights.** REET funds were set aside in 2012 to replace the boiler at Yost Pool. They were unable to complete this project as the funds were needed for other urgent repairs to get through the 2012 season. In 2013, \$120,000 has been set aside for the boiler project. Funding for the City Park Playground Replacement Project will be carried over into 2013 so that the project can be done in conjunction with the Spray Pad Project. The City has submitted an application for a Recreation and Conservation Office (RCO) Grant for the combined project, and they are hoping to obtain funding in the next budget cycle in July. REET funds, as well as stormwater utility funds, are being used for the Edmonds Marsh Feasibility Study to consider the potential of daylighting Willow Creek to improve fish passage. Money has also been set aside for the Woodway High School athletic fields, replacement of the Mathay Ballinger play equipment, a park impact fee study, and an update to the Parks, Recreation and Open Space Plan.
- **Park Construction Fund 132.** Capital dollars have been moved into this fund to provide matching funds for grants to construct projects. Projects identified for funding include the 4th Avenue Cultural Corridor Project, the Dayton Street Plaza, and the City Park Spray and Play Revitalization Project. Matching funds have also been set aside for Senior Center Improvements if the City is able to secure a Community Development Block Grant.

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Board Member Reed requested additional information about the 4th Avenue Cultural Corridor Project. Ms. Hite said money has been set aside for this project. Francis Chapin, Cultural Services Manager, has worked with property owners along the corridor and historians in an attempt to capture the history of the corridor. The next step is to conduct a survey and secure grant funding for project construction.

Mr. English advised that the draft CIP/CFP was introduced to the City Council on October 2nd, and is scheduled for a public hearing before the City Council on October 16th. The goal is for the CFP to be adopted in December as part of the Comprehensive Plan Update.

Board Member Reed recalled that, as part of their review of the Harbor Square Master Plan, citizens expressed concern about traffic congestion at the intersection of SR 104 and Dayton Street. When cars are backed up at this intersection, people living in the Point Edwards development have difficulty accessing the highway because there is no light at their access point. Citizens have expressed concern that redevelopment at Harbor Square will increase congestion, yet no project has been identified in the Transportation Master Plan to solve this problem. He asked if the City has any plans to address this problem in the near future. He also asked if the City has plans in place to address the increased traffic associated with redevelopment at Westgate and Five Corners. Mr. English pointed out that the proposed roundabout at Five Corners is anticipated to bring the LOS at the intersection to Level B, which should be sufficient to handle future redevelopment. He acknowledged there are no traffic improvements planned on SR 104 in the Westgate area at this time. However, the City has conducted a high-level transportation evaluation of this area to identify potential traffic impacts to the intersection based on the proposed zoning changes. The evaluation concluded that there would not be a lot of change. However, as development progresses, the intersection will need to be studied in greater detail. The evaluation will be presented to the Board in a few weeks as part of their work session on the Westgate Plan and form-based code.

Board Member Clarke requested additional information about the transportation evaluation for the Westgate area. Mr. English explained that the study looked at what the University of Washington proposed for both Westgate and Five Corners. It evaluates how the proposed land use changes would impact traffic patterns in the area. The study anticipates the number of additional trips that would be generated based on the proposed zoning changes and updates the transportation model accordingly. It provides some suggestions for how the traffic patterns could be modified at the intersection, but it does not go into detail about specific improvements.

Board Member Clarke said that, in his professional capacity, he has studied mixed-use developments in a variety of communities and cannot find any that have three to five-story buildings located on major arterials with speed limits up to 35 miles per hour. He observed that the University of Washington team did not address safety related to the speed limits on SR 104 and 100th Avenue West. He asked if the City intends to conduct a traffic study to look at the public safety issues related to ingress and egress from a mixed-use development that has high-density lot coverage and no setbacks from the street. Mr. English answered that the transportation evaluation does not reach that level of detail. A more detailed study would be required as part of a development proposal to address traffic impacts, safety, line of site, etc. He said he does not anticipate the City would conduct a more in-depth study prior to a development proposal.

Mr. Chave clarified that the transportation evaluation studied the level of development, level of traffic and proposed public improvements to determine if the existing street system, in its current configuration, would be adequate for the proposed level of redevelopment. The basic conclusion was redevelopment at the level suggested in the Westgate Plan would not result in the need for significant transportation improvements. He clarified that the University of Washington team has recommended setbacks in the Westgate Plan to expand the public space. However, he acknowledged the buildings would be pushed towards the sidewalks and parking would be located elsewhere. The buildings would be more prominent, but setbacks would still be required.

Board Member Clarke pointed out that the City is obligated to study traffic safety issues related to future development. Mr. English said the City studies traffic safety as it relates to accident history. If there is a high level of accident history, the City may consider improvements to address the problem.

Board Member Tibbott asked staff to review the major capital and maintenance projects that must be deferred in 2013 and 2014 as a result of insufficient funding. Mr. English responded that while the City has secured funds for environmental

review and design of the 212th Street and 76th Avenue Improvement Project, they have not secured construction funding. They are hoping to obtain grant funding in 2014 or 2015 to move forward with this project to address a LOS issue. The SR 99 and 212th Street Improvement Project has been pushed to 2016. As matching local dollars become available, the City would apply for grant funding to move forward with the project. Improvements at the intersection of 220th Street and SR 99 have also been pushed out. However, he indicated that street preservation is the City's most significant need at this time. Right now, the City does not have any funding for overlays and pavement upgrades.

Board Member Tibbott asked if the City has funding to move forward with walkway improvements. Mr. English said the City tries to capitalize on grant funding to complete walkway improvements. He noted that walkways have been prioritized in the 2009 Transportation Master Plan, and the City tries to follow this plan when applying for grant funding. However, there are times when the City pursues a lower-priority sidewalk project because it better fits a potential grant opportunity.

Board Member Tibbott asked to what extent the City needs matching funds to obtain grant dollars. Mr. English said matching funds is an important component of any grant application. While federal grants only require a minimum match of between 0 and 13.5%, grant applications score higher if the City can provide a greater percentage of matching funds.

Ms. Hite said that because of insufficient funding, the City has been unable to replace their playground equipment at the rate they should. While staff has maintained the equipment so it is safe, it is not up to current playground standards. While funds are dedicated each year to bicycle/walkway improvements, they are unable to develop new trails and the existing trails are not well connected. The updated Parks, Recreation and Open Space Plan will do a better job of connecting trails throughout the park system, especially connecting the Interurban Trail to the waterfront. While the City does a good job of patching sport courts and trails, there is insufficient funding to resurface these facilities to bring them up to current standards.

Ms. Hite reminded the Board that the City went through a public process to plan for an aquatic center. The option selected by participating community members and ultimately adopted by the City Council was to include an indoor pool facility at the Yost site. The City has completed a conceptual design for this project, but there is insufficient funding to move forward. She also pointed out that the City's lease with the Edmonds School District for the Civic Stadium property expires in 2020, and the school district has indicated they are not interested in selling the property at this time. They are interested in getting fair market value on the lease of the land. The City and district have discussed the option of a long-term lease that would interest the City in investing capital dollars to upgrade the site so it can be used for other events besides large festivals and some soccer. She noted that this property is an asset to the community and it would be fabulous to bring it into the City's assets.

Ms. Hite said some money has been set aside for the Woodway High School Athletic Field Project. She recalled that through a public process, it was determined that the site would be redeveloped into two soccer and one baseball field. She said in recent years, a group of 20 community members have met to discuss the need for more sports fields. While the proposed new fields at Woodway High School will help fulfill this need, it will not improve the City's ability to host regional tournaments. Recent discussions with the school district have brought forward the idea of maintaining the connecting walkway around the area, but developing three or four full-sized soccer fields instead. While the school district has a need for a baseball field, it would be hard for the City to justify a lot of capital dollars for just two soccer fields and one baseball field. They have discussed with the school district the idea of locating a new baseball field at the Civic Stadium site for high schools and perhaps a semi-professional team to use.

Ms. Hite said the City is in the process of conducting a study of the Edmonds Marsh, which has included a lot of discussion about daylighting Willow Creek to create a fish passage into the marsh. The project has a three to five-year window, and some grant funding is available. She noted that daylighting Willow Creek would likely involve changes to Marina Beach Park.

Board Member Clarke asked how the City determines which parks have Honey Buckets. Ms. Hite said the City tries to put Honey Buckets in parks that have the most traffic, which tends to be community and regional parks. They are also placed in parks that have significant field use.

Board Member Clarke recalled that the City approved a proposal to name the playground at Hickman Park after J.P. Patches, who recently passed away. He suggested that rather than the current small marker, the City should install a plaque that is

more visible and provides more information about J.P. Patches. Ms. Hite agreed that, at the direction of the Planning Board, the City could do something to honor him in a larger way.

Roger Hertrich, Edmonds, suggested the City needs to further evaluate the SR104 and Dayton Street intersection, as well as traffic on Edmonds Way. He suggested they particularly discuss how the Washington State Department of Transportation (WSDOT) contributes to the problem. Because Edmonds Way is the corridor to the ferry terminal, it becomes congested and sometimes gridlocked. A number of problems are created by the major highway that goes through the middle of the City.

Mr. Hertrich expressed his belief that it would be impossible to construct an access under the railroad tracks. There is not enough space to create lead in and lead out and still have room for the ferry dock and businesses on Main Street. He suggested that WSDOT should be the lead agency for addressing access under the tracks to the ferry terminal, and not the City.

Mr. Hertrich advised that on numerous occasions, he has raised the idea of using chip seal to rehabilitate roadways instead of more costly overlays. This approach has been used successfully by both Shoreline and Mountlake Terrace, but it has not been considered an option in Edmonds. He suggested the City complete a study to identify the roadways for which a chip seal application would be appropriate. Chip seal offers a less costly way of protecting and enhancing the life of the roadways. He asked that the Board endorse the idea and add it as a new item in the CIP.

Mr. Hertrich voiced concern that the Westgate Plan prepared by the University of Washington team did not address traffic at all. He said he drives through the intersection at 9th and SR 104 often. He has found it very difficult to make a right turn from SR 104 to head north on 9th Avenue, particularly during peak times. He suggested that adding another right turn lane at this intersection would improve the efficiency of the intersection, but it is not identified in the proposed CIP. He suggested the Board consider this option as they review the Westgate Plan so that adequate space can be provided.

Mr. Hertrich said he participated in the aquatic center study. The group discussed the option of locating an aquatic facility at the Woodway High School site, but the school district opposed the idea. He said he finds it ironic that the school district is now asking the City to help construct athletic fields when they were unwilling to work with the City to provide a good location for a larger pool facility. He suggested that the Board recommend that the new aquatic center and Woodway High School athletic field projects be combined.

Mr. Hertrich noted that a number of intersections have been identified by the City for potential traffic lights, but nothing has been done. Future redevelopment can be held up until the city addresses the low LOS at each of these intersections.

The public portion of the hearing was closed.

Vice Chair Stewart said she lives on Cedar Street, which is a dead end street one block south of Walnut Street on the east side of 9th Avenue. She noted that it is becoming increasingly difficult to make a left turn from Cedar Street onto 9th Avenue because traffic backs up on 9th Avenue all the way past Cedar Street. Mr. English said the 2009 Transportation Master Plan indicates that both the Main Street and 9th Avenue and Walnut Street and 9th Avenue intersections have LOS problems, and traffic signals are identified in the long-range plan to address the situations. To address the problem on a short-term basis, the City plans to restripe the intersection at 9th Avenue and Walnut before the weather changes to provide for two approach lanes in either direction on 9th Avenue. This striping change should improve the LOS at the intersection and address concerns about traffic backing up beyond Cedar Street.

Board Member Clarke questioned why there is a four-way stop at the intersection of 9th Avenue and Walnut Street. Because cars rarely cross 9th Avenue in this location, it would be better to place a stop sign on the east/west street only. Mr. English said he doesn't know the history of this four-way stop, but it is likely that people on Walnut Street did not have an opportunity to enter 9th Avenue during peak times because of high traffic volumes. The four-way stop provides a break in traffic. He noted that a recent study found the intersection to be operating at an LOS D, and the striping improvements should improve the LOS to B.

Board Member Cloutier invited staff to comment on Mr. Hertrich's suggestion that chip seal is a less costly option for street maintenance. Mr. English pointed out that the City's current and proposed CIP does not include any funding for street

preservation, whether it be chip seal or overlays. Chip seal is one alternative the City could use if funding becomes available, but it is not an option for all streets. The better conditioned roadways can receive chip seal, which is a surface treatment that lasts between 10 and 15 years. However, an overlay treatment has a structural component with a life span of between 20 and 25 years. He summarized that the chip seal treatment is one tool in the preservation tool box, but it is not an application that can be applied across the board to eliminate the need for street overlays.

BOARD MEMBER CLOUTIER MOVED THAT THE BOARD FORWARD THE CAPITAL IMPROVEMENT PLAN AND CAPITAL FACILITIES PLAN TO THE CITY COUNCIL WITH A RECOMMENDATION OF APPROVAL. BOARD MEMBER TIBBOTT SECONDED THE MOTION.

Board Member Reed observed that it is unfortunate that over the past few years the City has had to postpone or eliminate important projects because of insufficient funding. He noted that significant funding is still needed for the projects identified for 2014. He reminded the Board that although the City Council considered the creation of a Transportation Benefit District, it was never approved. The City must figure out a way to solve this problem.

THE MOTION CARRIED UNANIMOUSLY.

REVIEW OF DRAFT PLANNING BOARD RECOMMENDATION REGARDING THE PORT OF EDMONDS REQUEST TO INCORPORATE THE HARBOR SQUARE MASTER PLAN (HSMP) INTO THE CITY OF EDMONDS COMPREHENSIVE PLAN (FILE NUMBER AMD20110009)

Mr. Lien recalled that the Board conducted a public hearing on the Port of Edmonds' application to incorporate their HSMP into the City's Comprehensive Plan. At the conclusion of the meeting, the Planning Board members were invited to forward recommendations and comments regarding the application to staff. They directed staff to incorporate the comments received from each Board member into a draft recommendation for the Board's continued discussion. He referred the Board to the Staff Report, which provides a summary of the proposal, information regarding the location of the subject property and its current Comprehensive Plan land use designation, and public notice information. He announced that subsequent to the public hearing, the City issued a State Environmental Policy Act (SEPA) Mitigated Determination of Non-Significance (MDNS) on October 4th, and there is a two-week comment period. No comments have been received to date. The MDNS included the following three mitigating measures:

1. *Preparation of a transportation impact analysis report that documents existing conditions, estimates project related changes to local traffic, and describes impacts and mitigation measures.*
2. *The average building height of all buildings on the Harbor Square site taken as a whole shall be less than 45 feet.*
3. *Specific building and site design shall consider potential impacts of climate change such as sea level rise and increased potential for flooding. A range of techniques should be considered in meeting this goal, such as low-impact development (LID) techniques; enhanced buffers and appropriate building setbacks to protect and enhance the Edmonds Marsh; and/or employing other alternative systems and techniques to reduce maintenance and facilities costs.*

Mr. Lien reminded the Board that Comprehensive Plan amendments can only be adopted if certain criteria (ECDC 20.00.050) can be met. The Staff Report contains draft findings to explain how the proposal meets each of the criteria. It also contains a list of draft recommendations that were forwarded to staff by Planning Board Members. He noted that some of the recommendations conflict with each other, but all were included on the list for discussion purposes.

Vice Chair Stewart reviewed that the Board conducted a public hearing on September 26th. However, instead of making a recommendation to the City Council at the conclusion of the hearing, the Board Members were invited to forward potential recommendations to staff for future Board consideration. She explained that her charge is to help the Board organize and discuss each of the recommendations and reach a consensus on as many as possible. She acknowledged there may be differences of opinions regarding some of the recommendations, and the Board will need to vote.

Note: A list of the draft recommendations were included in the agenda packet but were not read into the minutes. To help facilitate reference for readers of the minutes, the draft list of the Board's recommendations are included herein:

APPROVED

1. *The maximum 55 foot building height limit from existing grade shall be limited to buildings located in the southeastern third of the Harbor Square site so as to minimize public view impacts of the water and mountains beyond from the lower bowl of the City.*
2. *At the bottom of page 9 of the Harbor Square Master Plan, the exception to the 55 foot height limit for special architectural features such as a tower, sculpture, etc. should be deleted.*
3. *The City Council may consider removing any mention to specific height limits within the Harbor Square Master Plan.*
4. *Reduce height limit down from 55 feet with an average of 45 feet to a height limit of 45 feet with an average of 35 feet.*
5. *In the graphic Schematic Section through Harbor Square Looking West on page 10, the annotation as to “setback” above 35 feet along Dayton Street should be revised to “building step back”.*
6. *The method of average height calculations should be removed from the Master Plan. The method of average height calculation is more appropriate for inclusion within a development agreement or rezone.*
7. *Buildings along Dayton Street and State Route 104 shall be limited to 35 feet in height. Any buildings over 25 feet shall be step backed at least 1 foot horizontally away from Dayton Street for every 1 foot in height above 25 feet. Third story balconies may extend into the Dayton Street step back.*
8. *The approved Master Plan shall be modified as necessary to maintain consistency with the Shoreline Master Program update to be determined following submittal by the City and approved by the State in accordance with process deadlines existent between the State and the City.*
9. *By adoption of the Port’s Harbor Square Master Plan, the City may choose in the future to explore with the Port a public-private partnership potentially involving the Port’s selected private developer in order to accommodate public amenities or facilities in conjunction with the yet to be determined mixed-use program from redevelopment of the site.*
10. *The City may wish to have a say in conjunction with potential determination by the Port to sell the Harbor Square property/land. (more a comment than a recommendation) [suggested replacement for 5/6: By adopting the Port’s Harbor Square Master Plan the City indicates its overall support for the proposal, but reserves its right to review detailed project proposals as they are developed. The City urges the Port to consult with the City during its development of a program addressing public amenities and facilities.]*
11. *The recommended provisions by the Edmonds City Attorney in the memorandum dated September 6, 2012 shall be incorporated in the City’s adoption of the proposed Master Plan, specifically that:*
 - a. *Question 1 – Height Limits – the potential maximum 55 foot building height limit shall apply only to this adopted Master Plan covering only the Harbor Square land area within the Downtown Waterfront District of the city. The City should consider incorporation of revised language within the City’s Comprehensive Plan as proposed in the second paragraph of this memorandum.*
 - b. *Question 2 – Precedent – If the Harbor Square Master Plan is adopted and resultant zoning changes accomplished, the City’s zoning map should be revised to clearly indicate that the provisions adopted apply only to the Harbor Square area of the waterfront district.*
 - c. *Question 3 – Views – The Comprehensive Plan currently contains language with respect to preservation of public view corridors. As stated in the memorandum, while private view impacts should be considered but if there are currently no provisions for preservation of the same within the City’s codes or regulations, no precedent should be established as applicable through the adoption of the Port’s Harbor Square Master Plan.*
12. *The City should encourage the Port to communicate and work with the new owner of the Edmonds Antique Mall property as to necessary coordination of efforts with regard to redevelopment, and in particular with respect to such aspects as:*
 - a. *Land use and development program*
 - b. *Siting and massing of buildings and improvements*
 - c. *Balancing streetscape for Dayton Street*
 - d. *Traffic and parking provisions*
 - e. *Site drainage and utilities*
 - f. *State Route 104 / Dayton Street intersection*
 - g. *Connectivity to the downtown retail area*
 - h. *Walkability and waterfront access*
 - i. *Incorporation of public amenities*
13. *On page 9 of the Harbor Square Master Plan under Circulation, Traffic and Parking*
 - a. *Add an emphasis on generous parking allowance given the absence of off-site parking. Suggested language, “Also the absence of available off-site parking requires that generous parking allowance be made to accommodate all customer, employee and resident vehicles during peak use times.”*

Vice Chair Stewart noted that the Board may not be able to complete their deliberations tonight, and they may need to continue to the next meeting for a final recommendation to the City Council. She reminded the Board that they would resume their work on the Shoreline Master Program (SMP) on October 24th. It is the Board's intent to forward the HSMP and the SMP concurrently to the City Council.

The Board discussed the best approach for reviewing the proposed recommendations. They decided it would be appropriate to group the recommendations, starting with those related to height. They also recognized that Board Members may bring additional recommendations forward during the course of their deliberations. Board Member Reed pointed out that some statements in the Staff Report may need to be changed, depending on decisions the Board makes related to the proposed recommendations. For example, the language would need to be updated if the Board recommends a maximum building height of 45 feet instead of 55 feet.

Board Member Cloutier pointed out that Recommendations 1, 4, 7 and 11 all relate to the height limit. Board Member Clarke referred to Board Member Reed's recommendation (Attachment 2b) that the height issue be addressed by dividing the property into three relatively equal zones, descending from south to north. He observed that the Board has never discussed this option. Board Member Reed disagreed that the concept has never been discussed because various comments have been made about putting the taller buildings near the marsh and requiring lower buildings heights along Dayton Street. His proposal illustrates how this could be accomplished. He expressed his belief that the proposed 55-foot maximum building height is too much, and 45 feet would be more appropriate. He recommended a 25-foot height limit on Dayton Street, as shown in Attachment 2b. He noted that Attachment 2a provides yet another approach for addressing height and would reduce the maximum height to 45 feet and the average height to 40 feet. It would also establish a height limit of 25 feet for buildings along Dayton Street. All buildings should be stepped back at least one foot horizontally away from Dayton Street for every one foot in height above 25 feet.

Board Member Clarke expressed frustration that the Port did not provide the requested mathematical examples to illustrate the averaging concept. The Port is now proposing to eliminate the average building height concept from the HSMP and "punt" the issue to the development agreement phase. He questioned if it is appropriate for the Board to recommend approval of the averaging concept if they do not have a clear understanding of how it would be applied. He suggested the Board put less emphasis on the averaging concept and look more at Board Member Reed's proposal, which puts forth the idea that building heights along Dayton Street should be lower than other areas and the tallest buildings should be located on the western and southern portions of the site. He said he could support either a 25-foot height limit for buildings on Dayton Street or the existing 35-foot height limit with a step back requirement for portions of the building over two stories. This would allow the view corridor down Dayton Street to be preserved and even enhanced, which is consistent with the Comprehensive Plan.

Board Member Clarke advised that he recently participated in a tour of downtown Kirkland where step backs and height limits were utilized to protect view corridors. He suggested this approach is similar to what Board Member Reed has proposed. He said he cannot support a maximum building height of 55 feet, but he could support a 45-foot maximum building height. He said he supports Board Member Reed's recommendation (Attachment 2b) except the property designated as Open Space (OS) needs to be clearly identified as a non-buildable preservation area as per the current contract rezone.

Board Member Ellis questioned how Board Member Reed's recommendation would fit with the HSMP that has been submitted by the Port. Board Member Clarke explained that the Board is not required to simply vote up or down on the proposed HSMP. After discussing all the issue, they can recommend appropriate changes to address their concerns.

Board Member Cloutier suggested the Board focus first on height issues, which can be divided into three categories: the maximum height along Dayton Street, inclusion of a step back requirement along Dayton Street, and overall maximum height. He noted that proposed Recommendation 7 would address height issues related to Dayton Street, but he recommended it be modified to read, "*Buildings along Dayton Street should be limited to 35 feet in height. Any buildings over 25 feet shall be stepped back at least one foot horizontally away from Dayton Street for every one foot in height above 25 feet. Third story balconies may extend into the Dayton Street step back.*"

Board Member Duncan cautioned against setting these specific height limits. While it is appropriate to identify a maximum height limit, the HSMP should not be so specific about height limits on Dayton Street. He said he would like to leave more flexibility for creative design as part of a specific design proposal. For example, there may be an opportunity to develop a four-story corner piece that compliments the overall project design. A hard a fast height limit for buildings on Dayton Street would not allow flexibility for this to occur.

Mr. Chave reminded the Board of language proposed by the City Attorney that would maximize the City's discretion once a detailed design proposal as been submitted. He cautioned the Board against overdesigning at the Comprehensive Plan level. However, it would be appropriate for the HSMP to describe what the City wants to achieve with a view corridor. Delineating specific areas within the site may lock the City into something that may be counter to what they want to consider down the road.

Board Member Reed pointed out that a drawing in the proposed HSMP shows a four-story building on Dayton Street, with a 10-foot step back above three stories. If this drawing remains in the HSMP, he felt it would be appropriate for the Board to provide more specific direction as to building height limits along Dayton Street. Mr. Chave commented that if the Board believes that some elements in the proposed HSMP are too specific, they can recommend that they be modified or eliminated to make the document more generalized. Another option would be to incorporate the language recommended by the City Attorney that would allow the City more discretion to address height limits later on. He clarified that, rather than modifying the actual HSMP before sending it to the City Council, the Board could forward the HSMP to the City Council as drafted and include a set of recommended changes. The Board could also identify issues that cannot or should not be addressed as part of the Comprehensive Plan amendment but should be considered in more detail as part of a development agreement or rezone proposal. The Port would have an opportunity between now and the City Council meeting to identify the recommendations they support and oppose and present their case to the City Council.

Board Member Tibbott said he would prefer that the HSMP be more general in relation to height limits. He recalled that the view shed analysis and the survey provided by Chair Lovell indicate that views to the east would not be significantly impacted by 55-foot tall buildings on some of the Harbor Square property. He would like the HSMP to be as flexible as possible at this point to see what amenities and additional design features the City might receive from allowing additional height. He expressed his belief that 55-foot tall buildings could be acceptable under certain circumstances. He said he is also concerned about crowding and massing along Dayton Street, but he assumes the designer of a potential project would understand that a design of that nature would not receive approval from the City. He said he supports the HSMP as proposed to allow maximum flexibility, particularly in regard to height.

Vice Chair Stewart referred to Board Member Duncan's suggestion that the HSMP provide flexibility for buildings up to 55 feet in height. However, the additional height would require the developer to meet a higher standard of LEED. She expressed her belief that a five-story building at Harbor Square should be a landmark project, and the Comprehensive Plan should leave enough flexibility in design to come up with great solutions. Board Member Reed noted that Chair Lovell made a similar suggestion.

Board Member Reed once again stated his belief that 55-foot tall buildings would not be appropriate on the waterfront. They already have the Ebb Tide Condominium Project that is not an attractive design. He said he would not be able to support a maximum height limit that is greater than 45 feet. He said he has had discussions with citizens about the "slippery slope" argument and how a 55-foot height limit would impact other properties in the downtown and waterfront areas. He reminded the Board that the Harbor Inn, which is built to a height of 25 to 35 feet, will remain at the Harbor Square site for a long time and will draw the average building height down. He stressed the importance of setting some height limits for buildings along Dayton Street, which is the only route to and from the waterfront.

Board Member Cloutier said that, with the exception of the view corridor, he would prefer to avoid dealing with site specific height in the Comprehensive Plan since these issues would be better addressed within the realm of a development agreement. Again, he suggested that the language provided in Recommendation 7 provides an appropriate way to protect the view corridor.

Board Member Ellis said he is comfortable with Recommendation 7, as well. However, instead of focusing on the aspirational plan included in the HSMP, he would be more in favor of leaving flexibility in the plan to see the creative ideas

that come up as part of a development proposal. Vice Chair Stewart said she has some level of comfort given that the guidelines for protecting view corridors are already set forth in the Comprehensive Plan. Mr. Chave agreed that the Comprehensive Plan does talk about the need to protect view corridors, but the Board would be doing staff a service if additional guidelines related to the view corridor were included in the HSMP. The guidance should be specific enough to point the Port in the right direction, but flexible enough to accommodate creative design options.

Board Member Clarke referred to Mill Creek Town Center and downtown Kirkland, where the streetscape design has a downtown feel. Parallel and/or diagonal parking is provided along the street, and the sidewalks are wider to create a pedestrian atmosphere and an opportunity for outdoor dining. This same approach could be utilized on Dayton Street, with two-story development along the street and step backs to give a view of the water and create openness. He expressed frustration that the Comprehensive Plan language related to view corridors is general and does not identify a clear objective. The HSMP does not provide specific information about view corridors, either. He said he would prefer to either use Recommendation 7 to clarify the view corridor concept or simply eliminate all numbers for height in the Comprehensive Plan and let these issues be addressed as part of a future development agreement.

Mr. Chave pointed out that Page 11 of the HSMP provides language relative to development along Dayton Street. There is additional language related to Dayton Street in the last bullet on Page 5 of the HSMP. He asked if the Board feels this is sufficient or if they want to add additional language. Board Member Clarke expressed concern that the height limits in the diagram on Page 10 of the HSMP go beyond what he is willing to support for Dayton Street. Mr. Chave said that if the Board is not comfortable with the detailed concept outlined in the HSMP, they could recommend it be dropped in favor of more general language.

Vice Chair Stewart said she is leaning away from being too specific because the Comprehensive Plan is typically silent on maximum height. Specific height could be addressed when a development proposal comes forward for evaluation. However, the Port may need some assurance that there is potential for buildings up to 55 feet in height.

Bill Trimm, Port Consultant, explained that the Comprehensive Plan is intended to provide general guidance and assurance to developers and the community, but maintain enough flexibility to accommodate a variety of options. He suggested that additional language could be added to the HSMP to ensure that the view corridor down Dayton Street is enhanced and preserved, but leave enough flexibility for the designer to figure out how to best accomplish the goal. Mr. Chave agreed that language could be added to the HSMP to emphasize the importance of addressing the view corridor. This could include not only the relationship of buildings to the sidewalk but scale, appearance, vertical design, etc.

Board Member Reed said he likes the compromise of allowing taller buildings closer to the marsh, but he felt that 55-feet is too much. He said it is important to establish some parameters for height within the HSMP. He recommended a 45-foot height limit and then control the height of development along Dayton Street. He said that he would need to see what the actual language would look like and how it would be implemented before he could support a more general approach to height.

Board Member Duncan asked if it would be possible to use a Floor Area Ratio (FAR) approach to zoning. Board Member Clarke did not believe a FAR approach would work because the City must specifically identify setbacks and view corridors. An FAR approach would not allow the City to offer a greater height limit in exchange for more open space away from the pedestrian corridor. Exchanging extra amenities for additional height would not work with an FAR approach, either.

Mr. Lien pointed out that the setbacks for the marsh will be determined in the Shoreline Master Program (SMP), and any new development at Harbor would have to be consistent. Board Member Duncan pointed out that a 25-foot setback is well below what is typically required by the Department of Ecology (DOE). Mr. Chave explained that the DOE's large buffer requirements are generally aimed at pristine, rural areas and do not acknowledge situations in urbanized areas. The City's approach has been to set smaller buffers in areas where development has already occurred; but in exchange, a developer must enhance and improve the remaining buffer areas. The DOE has indicated they are comfortable with this approach, as well.

Mr. Chave suggested that rather than drawing lines on a map as proposed in Board Member Reed's recommendation (Attachment 2b), the Board could recommend that language regarding the view corridor along Dayton Street be enhanced by adding a statement to provide general guidance related to scale and height as development moves across the Harbor Square

site without saying exactly how buildings must be arranged. He reminded the Board that the draft HSMP already includes language about view corridors and the relationship of buildings to the sidewalk, and the additional statement would provide direction about what the City would expect to see in an exchange of zoning or development agreement. Another option would be to focus just on the Dayton Street corridor and be silent about height limits elsewhere. Specific height limits could be addressed as part of a development agreement. He cautioned that the HSMP is a planning level document; it should provide parameters for design, but not design the project.

Board Member Tibbott suggested it would be helpful to provide some guidance as to the amenities the City would hope to see in exchange for the additional height. Mr. Chave noted that the HSMP does provide examples of public amenities. The Board could target and perhaps expand on this language. Vice Chair Stewart suggested that rather than prioritizing a list of amenities, it would be more appropriate to allow flexibility to developers. Board Member Duncan shared an example of development in Hong Kong where no FAR and a 30-foot strict height limit resulted in boxy buildings to maximize developable area. He suggested that avoiding policies and regulations that encourage developers to maximize to a certain height results in better building modulation and creativity. Mr. Chave noted that the City of Kirkland uses FAR in combination with setbacks to force modulation of heights along the street front in exchange for a greater height beyond.

BOARD MEMBER CLOUTIER MOVED TO MODIFY RECOMMENDATION 7 TO READ, “*BUILDINGS ALONG DAYTON STREET SHALL BE LIMITED TO 35 FEET IN HEIGHT.*” BOARD MEMBER CLARKE SECONDED THE MOTION.

Board Member Ellis observed that Recommendation 7, as currently proposed, would establish a strict height limit for development along Dayton Street.

Board Member Reed said he believes heights above 25 feet on Dayton Street are inappropriate. However, he would be willing to support a height limit of up to 35 feet if the portion of the building above 25 feet is stepped back 10 feet. Board Member Clarke said he has found the building step backs on Lake Street in Kirkland to be attractive and they preserve the view towards the lake. Board Member Tibbott pointed out that forcing a step back could eliminate the opportunity for a center piece or corner piece on Dayton Street. He felt the HSMP should allow more flexibility in design. Board Member Ellis suggested that the motion be amended to change the word “shall” to “should.”

BOARD MEMBER CLOUTIER MOVED TO AMEND HIS MOTION TO MODIFY RECOMMENDATION 7 TO READ, “*BUILDINGS ALONG DAYTON STREET SHOULD BE LIMITED TO 35 FEET IN HEIGHT.*” BOARD MEMBER CLARKE SECONDED THE MOTION TO AMEND.

Board Member Reed expressed concern that “should” has a different meaning than “shall,” and he will not support the proposed amendment.

THE MOTION CARRIED 5-2, WITH VICE CHAIR STEWART AND BOARD MEMBER REED VOTING IN OPPOSITION.

BOARD MEMBER CLOUTIER MOVED THAT THE BOARD APPROVE AN ADDITIONAL RECOMMENDATION TO READ, “*DEVELOPMENT PLANS SHALL ENSURE THAT THE PUBLIC VIEW CORRIDOR DOWN DAYTON IS PRESERVED AND ENHANCED.*” BOARD MEMBER TIBBOTT SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

Board Member Reed recalled that the Board has received numerous public comments related to private views, and he is not convinced that Chair Lovell’s walkabout survey is a reliable method for determining which private properties would be impacted. While he understands the City has no legal responsibility to consider private views, the Board should at least consider the impact the proposed HSMP would have on private properties. That is his motivation for arguing against a 55-foot height limit.

Board Member Clarke mentioned that the Bullitt Center is building the world’s first Living Building Challenge project in downtown Seattle. One unique characteristic is the variance the City of Seattle gave in relation to building height. It was concluded that 13 stories was necessary in order for the building to be the unique Platinum Level LEED. This height would

allow them to incorporate sustainable elements, including open windows rather than rely on air conditioning. He reminded the Board that sustainability is part of the City's Comprehensive Plan, and he would like the City to be forward thinking and adaptable to changing technology and new concepts that are critical for the future. He suggested the Board discuss how they can provide flexibility on the taller buildings (not on Dayton Street) to permit and promote this type of forward-thinking development. For example, the City could allow additional height in exchange for significant sustainable features. Mr. Chave agreed the Board could recommend a maximum height, with consideration being given for a portion of the site being higher if certain conditions can be met such as innovative living building design.

Board Member Clarke suggested that the portion of property where the tennis facility is currently located would be a good location to promote a maximum building height to help achieve economic feasibility for a developer. This portion of the site is naturally screened with tall trees that are located in the wetland buffer. He noted that Mill Creek Town Center has one five-story building that sits up against a wetland, with an associated three-story parking garage. The bottom floor of the parking garage is open to the public, and the remaining buildings in the development are two and three stories. He said he would also be in favor of allowing taller buildings in the southwest corner of the property near the railroad tracks.

Vice Chair Stewart said she has wrestled with the height issue for quite some time. She likes the concept brought forward by Board Member Duncan to incentivize "green" development. She expressed her belief that Board Member Duncan's proposal would strengthen the language to make green building a requirement in order to achieve the maximum height. However, unless she can be assured it would be a sustainable project to a specified standard, she would not support a 55-foot building height.

Once again, Board Member Reed emphasized that he would not support a maximum building height greater than 45 feet. Board Member Ellis asked Board Member Reed to explain why he is proposing a 45-foot building height rather than some other limit. Board Member Reed said that 45 feet is the maximum height he is comfortable with, and he would prefer a 35-foot height limit. Because the Port has indicated that a 35-foot height limit would be unfeasible, he is willing to compromise and recommend 45 feet. He noted that the existing Ebb Tide Condominium building is 55 feet tall, and he does not like it. Board Member Tibbott pointed out that the existing trees along the marsh are 60 feet and taller.

Board Member Tibbott expressed his belief that flexibility in the Comprehensive Plan would allow the City to see what types of creative amenities an architect could come up with. Amenities such as sustainability and improvements along Dayton Street and/or SR 104 are the kinds of things that can be sorted out as part of a development agreement.

Board Member Clarke noted that because the Harbor Square Property is located in a bowl, people living up hill will look down on the roofs of the buildings. He asked Mr. Trimm to comment on whether flat or pitched roofs are considered more attractive. Mr. Trimm said it depends on where you are looking from. From the street level, you want to see the roof edge. Looking down hill, you want to see an attractive roof and beyond the roof. When doing the view shed analysis, they wanted to ensure that what you see looking beyond are the same key elements that are visible now (mountains, water, edge of the marina, sail boat masts). He concluded that people want to look at attractive buildings and rooftops that do not have mechanical equipment.

Board Member Cloutier said he would support a 45-foot height limit, but with some consideration given for additional height up to 55 feet for exceptional design such as LEED Platinum. However, he stressed that the taller buildings should only be located on the south and west portions of the property and not along SR 104 and Dayton Street.

BOARD MEMBER CLOUTIER MOVED THAT THE BOARD APPROVE AN ADDITIONAL RECOMMENDATION TO READ, "BUILDING HEIGHTS SHALL BE LIMITED TO 45 FEET. CONSIDERATION MAY BE GIVEN FOR BUILDING HEIGHTS UP TO 55 FEET IF THE DEVELOPMENT PROPOSAL INCLUDES SIGNIFICANT AMENITIES SUCH AS LEED PLATINUM CERTIFICATION."

Board Member Duncan suggested that "building heights up to 55 feet" should be changed to "taller buildings." Board Member Cloutier said he would not support this change. Board Member Duncan suggested that "and significant public amenities" should be added to the end of the proposed language. Mr. Chave pointed out that public amenities are already discussed in the HSMP. Board Member Cloutier agreed that the HSMP states that amenities would be considered as part of a development agreement, but it does not say that amenities could buy additional height.

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BOARD MEMBER CLOUTIER AMENDED HIS MOTION TO READ, “BUILDING HEIGHTS SHALL BE LIMITED TO 45 FEET AND CONSIDERATION MAY BE GIVEN FOR HEIGHTS UP TO 55 FEET IF THE DEVELOPMENT PROPOSAL INCLUDES SIGNIFICANT PUBLIC AMENITIES OR SUSTAINABLE DESIGN.” BOARD MEMBER CLARKE SECONDED THE AMENDED MOTION.

Vice Chair Stewart said she could not vote in favor of the motion because she needs more assurance that a high level of LEED certification would be required. She would like the recommendation to quantify the sustainable aspect by specifically requiring LEED Gold or the equivalent. They need to make it clear that additional height would only be considered in the case of a very green, sustainable project.

Board Member Clarke said he has struggled with the issue of averaging. The way he understands it, the Harbor Inn has the opportunity to stay in its current location long term because of an existing ground lease. He suggested it would be unfair to penalize the Port on an averaging formula that would include the two-story hotel building in the calculation. This approach would restrict the hotel to always being two stories if the rest of the property is developed to the maximum average height allowed. The motion on the floor would provide greater flexibility than the averaging concept. Mr. McChesney pointed out that the motion on the floor would make the averaging concept mute. Board Member Cloutier agreed that is the intent.

Board Member Reed pointed out that Pages 6 and 7 of the HSMP include language that focuses on sustainability. Vice Chair Stewart commented that requiring a development to meet a green building program standard would require a third-party verification and the developer would be held to a higher standard. She said she feels strongly that the City should establish a high standard for green development. This is a great opportunity to encourage and promote sustainable development on one of the most sensitive sites in the City. They must protect this ecological asset by being more specific. Board Member Cloutier agreed with Vice Chair Stewart’s sentiments and logic. He suggested his motion could be amended to include examples of desirable amenities but not a specific standard.

Board Member Duncan pointed out that the performance review is a critical element of LEED certification. However, he questioned if attaching height to a LEED standard would be a zoning issue rather than a Comprehensive Plan issue. Board Member Cloutier agreed that this issue would be better addressed as part of a development agreement.

BOARD MEMBER CLOUTIER AMENDED HIS MOTION FURTHER TO READ, “BUILDING HEIGHTS SHALL BE LIMITED TO 45 FEET AND CONSIDERATION MAY BE GIVEN FOR HEIGHTS UP TO 55 FEET IF THE DEVELOPMENT PROPOSAL INCLUDES SIGNIFICANT PUBLIC AMENITIES AND/OR SUSTAINABLE DESIGN CERTIFICATION SUCH AS LEED PLATINUM.” BOARD MEMBER CLARKE SECONDED THE AMENDMENT TO THE MOTION.

Board Member Ellis summarized that, as per the motion on the floor, development up to 45 feet would be allowed without any specific requirements. Board Member Cloutier pointed out that the HSMP includes general development requirements that would be applicable to all development, regardless of height. However, the HSMP does not specifically require green certification.

THE MOTION, AS AMENDED, CARRIED 5-2, WITH VICE CHAIR STEWART AND BOARD MEMBER REED VOTING IN OPPOSITION.

The Board took a short break from 10:15 to 10:25 p.m.

BOARD MEMBER CLOUTIER MOVED THAT THE BOARD AMEND RECOMMENDATION 1 TO READ, “DEVELOPMENT PROPOSALS SHOULD PLACE THE TALLEST BUILDINGS ALONG THE SOUTH AND WEST BOUNDARIES OF THE PROPERTY.” BOARD MEMBER ELLIS SECONDED THE MOTION.

Board Member Reed expressed concern that this recommendation would leave it wide open for tall buildings to go all the way to Dayton Street, which is not the Board’s intent. The intent is for the buildings to get taller as you move towards the marsh and away from Dayton Street. He suggested that the recommendation should limit taller buildings to the southern 1/3 of the property. Board Member Ellis said he could not support this type of restriction. Mr. Chave expressed his belief that

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the recommendation, as proposed, would provide sufficient guidance as to what the City wants to see with a development proposal.

THE MOTION CARRIED UNANIMOUSLY.

Board Member Reed asked if the recommendation that was just adopted would put the average height issue back on the table because the HSMP would not be specific about where the taller buildings could be located. Mr. Chave reminded the Board that the recently issued SEPA determination includes a condition that the average height would be limited to 45 feet. Regardless of whether or not the HSMP identifies an average height for buildings, the SEPA condition would require the overall average of development on the site to be less than 45 feet. The SEPA condition cannot be changed at this point.

Vice Chair Stewart referred to proposed Condition 13, which suggests that the HSMP should include an emphasis on a “generous parking allowance” given the absence of off-site parking. Because the Harbor Square redevelopment is supposed to be transit oriented, she recommended that the parking requirement be eliminated. She urged the Board to look towards the future and make this development less car dependent and more walkable and transit oriented. She noted there are good public transportation opportunities available in this area. Mr. Chave explained that if a developer provides too little parking, there would be nowhere for the additional cars to park off site. Board Member Clarke pointed out that people could park on City streets if the developer does not provide sufficient parking. Mr. Chave said the notion of requiring a developer to provide adequate parking would be acceptable, but he cautioned against requiring a generous amount of parking. It would be in the best interest of any developer to provide adequate parking, and he is confident a developer would pay close attention to this issue. He also noted that parking is typically addressed by zoning rather than the Comprehensive Plan.

Board Member Clarke commented that, at this time, the City and Port have a reciprocal parking agreement, which binds the entire Harbor Square site to permit anyone to park on the site. He asked if the HSMP would impact this agreement. He also cautioned that the City should be careful to preserve the public parking at 51 West Dayton, which is designed to serve the park and fishing pier. Mr. Chave said this public parking could be part of the public amenities discussed earlier.

Board Member Reed said he recommended a generous parking requirement because of what he sees in the bowl and anywhere there are groups of condominium and apartment projects. When there is not sufficient parking on site, the cars spill out onto the streets. He said he appreciates the desire to encourage transit-oriented development at Harbor Square; but if there is not sufficient parking on site, it will spill out onto the downtown streets. Mr. Chave said all parking issues would have to be addressed as part of a development agreement or the standard parking requirement would apply. The Board agreed to accept Recommendation 13.a, but it was modified to change “generous” to “adequate.”

Board Member Tibbott suggested the need for a developer to provide a diversity of parking options for cars, bicycles, and eco-friendly cars. Board Member Cloutier advised that parking diversity is addressed in the sustainability element of the Comprehensive Plan. In addition, LEED Certification would require a developer to incorporate diverse parking opportunities into the site plan. Mr. Chave added that if a developer proposes shared parking, the development agreement would have to demonstrate how the concept would work.

Board Member Cloutier said he understands the intent of Recommendation 13.b, but felt it is the City’s responsibility to improve the intersection at Dayton and SR 104 to relieve peak time difficulties. Board Member Ellis added that the Port may not have the authority to make improvements at this intersection. Mr. Chave said this issue could be addressed as part of a development agreement and/or development proposal. The required traffic analysis would identify the City and developer’s responsibility related to this intersection. Mr. Lien added that the SEPA review would require a project level traffic analysis to identify traffic impact fees and mitigating conditions. Board Member Reed expressed concern that the traffic impacts would increase if the Harbor Square property is more densely developed. He said he proposed Recommendation 13.b to address a public comment about how difficult it is to make a left hand turn at this intersection. However, he agreed that the issue would be more appropriately addressed as part of a development proposal.

Board Member Reed said he proposed Recommendation 14 to require aggressive discussions with WSDOT regarding the improves to the SR 104 right-of-way east of the Harbor Square Property. He suggested that a better recommendation would be that the Port actively pursue discussions with WSDOT. Mr. McChesney reminded the Board that the Port already has a permit from WSDOT to maintain the landscaping along the right-of-way. He recognized that they haven’t maintained the

area to the standard contemplated in the HSMP. He suggested that it may be necessary to modify the WSDOT permit to allow for a bicycle path and other amenities.

Board Member Cloutier pointed out that the paragraph titled, "SR 104 Frontage" on Page 11 of the HSMP addresses this issue. He suggested that rather than adding the language in Recommendation 11, the Board could recommend that the words "if WSDOT is amenable" be removed from this paragraph. The remainder of the Board concurred.

Board Member Clarke said he proposed Recommendation 15. He pointed out that because of the bus stop and right turn lane, there is only limited space in the right-of-way for curb-side parking, either angled or parallel along Dayton Street. Mr. Trimm advised that the Mill Creek Town Center project provides angle parking in front of retail uses and parallel parking in front of non-retail uses. Board Member Clarke observed that additional right-of-way would be necessary in order to construct a sidewalk, the planting strip, turn lanes, and curb-side parking. He said it would also be desirable to have curb-side parking on the north side of Dayton Street at some point in the future. This would create a small-town feel similar to Main Street and the Avenues.

Mr. Trimm agreed that Dayton Street is an important streetscape, and the developer should work closely with the City's Public Works Department to figure out how the streetscape should be on both sides. He suggested that the Comprehensive Plan could be amended to require developers on both sides of the street to provide a certain streetscape that includes curb-side parking. Mr. Chave suggested this concept could be addressed by adding additional language to the "Dayton Street Frontage" section on Page 11 of the HSMP. He expressed his belief that having parking and pedestrian activity on both sides of Dayton Street is an important concept to keep in mind. Adding language in the HSMP would allow this discussion to occur as part of the Development Agreement.

The Board asked Mr. Trimm to describe how the City could translate the parking design at Mill Creek Town Center to Dayton Street. Mr. Trimm said the first step is to identify the desired streetscape in the master plan or Comprehensive Plan, starting from the edge of the building towards the center line of the Street. This streetscape language could be used as a guideline when a development application comes in for either Harbor Square or the property located on the other side of Dayton Street.

BOARD MEMBER CLOUTIER MOVED THAT RECOMMENDATION 15 BE REPLACED WITH A RECOMMENDATION TO ADD AN ADDITIONAL SENTENCE IN THE "DAYTON STREET FRONTAGE" SECTION ON PAGE 11 OF THE HSMP TO READ, "CONSIDERATION SHOULD BE GIVEN TO ENHANCE STREET-SIDE PARKING TO SUPPORT SEPARATING HUMAN ACTIVITY FROM THE TRAFFIC ALONG DAYTON STREET. BOARD MEMBER CLARKE SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

Board Member Clarke referred to proposed Recommendation 16 and asked if the HSMP, as proposed, would allow for single-family residential. He asked if the SMP would determine the allowable zoning at Harbor Square based on the Urban Mixed Use III Designation. Mr. Lien replied that, as currently drafted, the SMP would allow single-family development in the Urban Mixed Use III Designation. The Board agreed that the SMP should be changed so that single-family is not allowed in the Urban Mixed Use III Designation.

Board Member Ellis suggested that Recommendation 11 should be amended to read, "*Edmonds City Attorney shall develop language consistent with the memorandum dated September 6, 2012, to be incorporated into the City's adoption of the Comprehensive Plan addressing height limits, precedent and views.*" The remainder of the Board concurred.

Board Member Clarke referred to Recommendation 2 and asked if the City would be required to allow wireless communication facilities to exceed the 55-foot height limit if determined necessary to provide adequate coverage. Board Member Cloutier replied affirmatively.

Board Member Clarke reminded the Board that currently the site has two zoning districts: Open Space (OS) and General Commercial (CG). However, there is no reference in the proposed HSMP to the OS zoning designation, and it is not identified in the SMP, either. He suggested that the OS zone should be specifically addressed in the HSMP. He said he is bothered that the Port allows parking to occur on property that is identified in the contract rezone as Open Space. He said the

OS zoned property is located within the buffer area that is guaranteed in the contract rezone. This area needs to be preserved into perpetuity. Mr. Lien agreed that the contract rezone identifies the property 25 feet from the edge of the marsh as OS zoning. Board Member Clarke observed that this OS zoning is not depicted on any of the City's maps, but it is shown on the assessor's records. Board Member Cloutier suggested an additional recommendation to read, "the existing OS zoning, as identified in the contract rezone (R1979-4) shall be preserved.

Mr. Trimm explained that the development agreement would supersede the contract rezone and modify the zoning boundaries. Mr. Chave suggested that a better way to approach the open space issue is to add a recommendation that any future development proposal shall clearly demark and provide protection for the marsh and related open space. This would give direction that the development agreement needs to clearly identify the open space. Mr. Lien added that the SMP establishes setbacks for the critical areas, including a 25-foot setback from the marsh; but it does not specifically address the open space identified in the contract rezone. However, Page 10 of the proposed HSMP includes language to describe the anticipated setbacks and ecological enhancements along the marsh.

Board Member Clarke said that, right now, there is a boardwalk around the marsh that is considered part of the City park system. He said he does not want this park to be lost in a landscape buffer that turns to weeds because that is how the owner of the property wants to maintain the area. The Board concurred with Board Member Clarke's concerns and agreed that staff should determine the best way to protect the OS identified in Contract Rezone R1979-4 into perpetuity.

Vice Chair Stewart recommended that the last paragraph of Item 5a on Attachment 8 (Comprehensive Plan Text Amendment) be deleted. Because the athletic club has a long-term lease with the Port, she did not feel it would be appropriate to bring up the issue of relocation at this time. Mr. Trimm pointed out that this language was part of the Port's application for a Comprehensive Plan amendment, but it would not be part of the HSMP. Mr. Chave said it would continue to part of the record, but it would be incorporated into the HSMP.

BOARD MEMBER CLOUTIER MOVED THAT THE BOARD DELETE ALL THE PROPOSED RECOMMENDATIONS EXCEPT 2, 5, 8 AND 16 AS WRITTEN AND 11 AND 13.a AS MODIFIED. BOARD MEMBER REED SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

BOARD MEMBER REED MOVED THAT IF AND WHEN THE HSMP IS ADOPTED BY THE CITY COUNCIL, IT SHOULD BE PHYSICALLY INCORPORATED INTO THE COMPREHENSIVE PLAN RATHER THAN INCORPORATED BY REFERENCE. BOARD MEMBER CLOUTIER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

BOARD MEMBER CLOUTIER MOVED THAT, BASED ON THE FINDINGS OF FACT AND CONCLUSIONS IN THE STAFF REPORT, THE BOARD APPROVE INCORPORATION OF THE PORT OF EDMONDS NEW MASTER PLAN DATED AUGUST 27, 2012 FOR HARBOR SQUARE AS AN ELEMENT OF THE CITY'S COMPREHENSIVE PLAN AS ENTAILED WITHIN THE CITY OF EDMONDS FILE NUMBER AMD20110009 AND THAT THE CITY COUNCIL APPROVE SAME WITH THE BOARD'S ATTENDANT RECOMMENDATIONS FOLLOWING HEARWITH:

- **BUILDINGS ALONG DAYTON STREET SHOULD BE LIMITED TO 35 FEET IN HEIGHT.**
- **DEVELOPMENT PROPOSALS SHOULD PLACE THE TALLEST BUILDINGS ALONG THE SOUTH AND WEST BOUNDARIES OF THE PROPERTY.**
- **BUILDING HEIGHTS SHALL BE LIMITED TO 45 FEET AND CONSIDERATION MAY BE GIVEN FOR HEIGHTS UP TO 55 FEET IF THE DEVELOPMENT PROPOSAL INCLUDES SIGNIFICANT PUBLIC AMENITIES AND/OR SUSTAINABLE DESIGN CERTIFICATION SUCH AS LEED PLATINUM.**
- **AT THE BOTTOM OF PAGE 9 OF THE HSMP, THE EXCEPTION TO THE 55-FOOT HEIGHT LIMIT FOR SPECIAL ARCHITECTURAL FEATURES SUCH AS TOWER, SCULPTURE, ETC. SHOULD BE DELETED.**
- **DEVELOPMENT PLANS SHALL ENSURE THAT THE PUBLIC VIEW CORRIDOR DOWN DAYTON STREET IS PRESERVED AND ENHANCED.**
- **IN THE GRAPHIC SCHEMATIC SECTION THROUGH HARBOR SQUARE LOOKING WEST ON PAGE 10, THE ANNOTATION AS TO "SETBACK" ABOVE 35 FEET ALONG DAYTON STREET SHOULD BE REVISED TO "BUILDING STEP BACK."**

APPROVED

- **THE APPROVED MASTER PLAN SHALL BE MODIFIED AS NECESSARY TO MAINTAIN CONSISTENCY WITH THE SHORELINE MASTER PROGRAM UPDATE TO BE DETERMINED FOLLOWING THE SUBMITTAL BY THE CITY AND APPROVED BY THE STATE IN ACCORDANCE WITH PROCESS DEADLINES EXISTENT BETWEEN THE STATE AND THE CITY.**
- **IN THE “SR 104 FRONTAGE SECTION” ON PAGE 11 OF THE HSMP, THE WORDS “IF WSDOT IS AMENABLE” SHOULD BE DELETED.**
- **AN ADDITIONAL SENTENCE SHOULD BE ADDED TO THE “DAYTON STREET FRONTAGE SECTION” ON PAGE 11 OF THE HSMP TO READ, “CONSIDERATION SHOULD BE GIVEN TO ENHANCE STREET-SIDE PARKING TO SUPPORT SEPARATING HUMAN ACTIVITY FROM TRAFFIC ALONG DAYTON STREET.”**
- **THE EDMONDS CITY ATTORNEY SHALL DEVELOP LANGUAGE CONSISTENT WITH THE MEMORANDUM DATED SEPTEMBER 6, 2012 TO BE INCORPORATED INTO THE CITY’S ADOPTION OF THE COMPREHENSIVE PLAN ADDRESSING HEIGHT LIMITS, PRECEDENT AND VIEWS.**
- **STAFF SHOULD PROPOSE ADDITIONAL LANGUAGE FOR INCLUSION IN THE HSMP TO PROTECT THE OPEN SPACE PROPERTY IDENTIFIED IN CONTRACT REZONE R1979-4 INTO PERPETUITY.**
- **ON PAGE 9 OF THE HSMP UNDER “CIRCULATION, TRAFFIC AND PARKING,” AN ADDITIONAL SENTENCE SHOULD BE ADDED TO READ, “THE ABSENCE OF AVAILABLE OFF-SITE PARKING REQUIRES THAT ADEQUATE PARKING ALLOWANCE BE MADE TO ACCOMMODATE ALL CUSTOMER, EMPLOYEE AND RESIDENT VEHICLES DURING PEAK USE TIMES.”**
- **CLARIFYING LANGUAGE SHOULD BE ADDED TO THE HSMP THAT RESIDENTIAL USES MUST BE MULTI-FAMILY AND NOT SINGLE-FAMILY RESIDENTIAL.**

BOARD MEMBER CLARKE SECONDED THE MOTION.

The Board discussed whether or not it would be appropriate to vote on the recommendation without seeing it written out. They agreed it would be necessary for them to review their recommendation at the next meeting prior to forwarding it to the City Council. Mr. Chave advised that the Board could take action on the motion and staff could prepare the recommendation for the Board’s final review on October 24th. At that time, the Board would have the ability to make any final changes before forwarding the recommendation to the City Council. The Board agreed that would be appropriate.

Board Member Reed indicated he would vote against the motion for the reasons stated earlier, particularly pertaining to the proposed 55-foot maximum height limit.

BOARD MEMBER CLOUTIER AMENDED HIS MOTION TO ADD THAT THE BOARD WOULD LIKE TO REVIEW THE FINAL RECOMMENDATION ON OCTOBER 24, 2012 BEFORE IT IS FORWARDED TO THE CITY COUNCIL. BOARD MEMBER CLARKE SECONDED THE AMENDMENT.

THE MOTION WAS APPROVED 6-1 AS AMENDED, WITH BOARD MEMBER REED VOTING IN OPPOSITION.

REVIEW OF EXTENDED AGENDA

Vice Chair Stewart announced that the Board’s October 24th agenda includes a work session on the Westgate Plan and form-based code, an update on the Shoreline Master Program, and a presentation by the City Attorney regarding the Public Meetings Act. The Board will also review their recommendation regarding the Harbor Square Master Plan before sending it forward to the City Council.

Vice Chair Stewart advised that the next Economic Development Commission (EDC) meeting is scheduled for October 17th at 6:00 p.m. Mr. Chave said the EDC will have a discussion about retail uses in the downtown zones. Board Member Clarke announced that, as Planning Board liaison to the EDC, he has been invited to provide an update on the Board’s work on the Harbor Square Master Plan.

PLANNING BOARD CHAIR COMMENTS

Vice Chair Stewart reported that she presented the Planning Board's report to the City Council on October 7th. At that time, she accepted the Mayor's proclamation designating October as Community Planning Month in recognition of the Board's work. She also announced that Board Members Clarke and Ellis have been appointed to participate on the Strategic Plan Subcommittee.

PLANNING BOARD MEMBER COMMENTS

Board Member Reed recalled that when the Westgate Plan and form-based code proposal was introduced to the Board, representatives from several jurisdictions shared how they incorporated a hybrid version of the form-based code concept. He said he assumes this hybrid approach would also be considered as an option for Westgate.

Board Member Ellis reported that the Strategic Plan Subcommittee met; and with the help of staff, they were able to massage the list of questions into something that is more useful. They particularly discussed the need to preserve citizen input into a document that could be used when creating the Strategic Plan.

Mr. McChesney thanked the Board on behalf of the Port staff and Commission for their hard work on the HSMP. He expressed his belief that the process validates the plan. He said the HSMP is a much better document as a result of the Port's engagement with the Planning Board and the community. He also thanked City staff for their help throughout the process.

ADJOURNMENT

The Board meeting was adjourned at 11:51 p.m.