

Approved August 12th

CITY OF EDMONDS PLANNING BOARD MINUTES

July 22, 2015

Chair Tibbott called the meeting of the Edmonds Planning Board to order at 7:03 p.m. in the Council Chambers, Public Safety Complex, 250 – 5th Avenue North.

BOARD MEMBERS PRESENT

Neil Tibbott, Chair
Philip Lovell, Vice Chair
Matthew Cheung
Carreen Rubenkönig
Daniel Robles
Valerie Stewart

STAFF PRESENT

Kernen Lien, Senior Planner
Sean Conrad, Planner
Bertrand Hauss, Transportation Engineer
Karin Noyes, Recorder

BOARD MEMBERS ABSENT

Todd Cloutier (excused)
Nathan Monroe (excused)

READING/APPROVAL OF MINUTES

VICE CHAIR LOVELL MOVED THAT THE MINUTES OF JUNE 10, 2015 BE APPROVED AS SUBMITTED. BOARD MEMBER STEWART SECONDED THE MOTION, WHICH CARRIED UNANIMOUSLY.

VICE CHAIR LOVELL MOVED THAT THE MINUTES OF JULY 8, 2015 BE APPROVED AS AMENDED. BOARD MEMBER ROBLES SECONDED THE MOTION, WHICH CARRIED UNANIMOUSLY.

ANNOUNCEMENT OF AGENDA

The agenda was amended to place the presentation on the draft Complete Streets SR-104 Corridor Analysis (Item 8a) before the continued discussion and potential recommendation regarding the Critical Areas Ordinance (Item 7a). The remainder of the agenda was accepted as presented.

AUDIENCE COMMENTS

No one in the audience indicated a desire to provide comment during this portion of the meeting.

DEVELOPMENT SERVICES DIRECTOR REPORT TO PLANNING BOARD

Vice Chair Lovell requested further information about the public hearing the City Council conducted on July 21st. Mr. Lien said the hearing was relative to an interlocal agreement with the Edmonds School District for the fields at the old Woodway High School site.

Board Member Lovell reminded the Board Members of the City-sponsored volunteer picnic on August 9th at 2 p.m.

PUBLIC HEARING ON APPLICATION BY MERLONE GEIER PARTNERS: The applicant is proposing to rezone a portion of a 9.1-acre site at the northwest corner of 220th Street SW and Highway 99. The property is currently zoned General Commercial (CG2) with the western half being encumbered by a contract rezone (R-02-90). The rezone request would remove the contract rezone and its restrictions on the western half of the property and leave the property under the CG2 zone. (File Number PLN20150024)

Mr. Conrad presented the Staff Report, noting that the property is located at 21900 – Highway 99 (Corner of 220th Street S.W. and Highway 99), which is the former location of the Top Foods Grocery Store. He provided a zoning map to illustrate the location and zoning of the subject property and adjacent properties. He noted that properties to the east and south are zoned for commercial uses and include a fast-food drive in, coffee shop, casino, gas station and car dealership. The Edmonds Swedish Hospital Campus is located to the north on property that is zoned CG and located within the Medical Use (MU) zoning district. Property to the west is zoned CG2 and Multi-Family Residential (RM 2.4). An office building is located on the CG2 zoning, with an apartment building located on the RM 2.4 zoning.

Mr. Conrad reviewed that a retail building was developed on the 9.1 acre site in 1992, following the City Council's 1991 approval of a contract rezone for approximately 5.5 acres of the western half of the property from Multi-Family (RM 2.4) to CG2 to accommodate development of the approximately 88,300 square foot grocery store. The contract rezone stipulated conditions related to traffic mitigation that included upgrades on 220th Street SW and 7th Avenue West, as well as traffic impact fees. The contract also placed restrictions on the hours of construction, hours of operation, and hours for delivery trucks. Lastly, the contract included restrictions relative to the site plan and built conditions. While conditions relative to the hours of operation and traffic mitigation have been met, the land use conditions significantly limit further development of the property. The current property owner is seeking to remove the contract zoning but maintain the underlying CG2 zoning.

Mr. Conrad provided a Google Earth map to illustrate the condition of the property in 1990 and noted there were older residential homes nearby and stands of significant trees. The hospital campus to the north was much smaller, and the property to the west was developed as multi-family. Based on the character of the area in 1990 and public feedback, the Planning Board and City Council put contract zoning in place on the western portion of the property to limit development and meet the Comprehensive Plan goals that were in place at the time.

Mr. Conrad provided a Google Earth map to illustrate the current conditions on the property, noting that the hospital campus has expanded to the northern boundary of the subject property and there are significantly more office-type uses to the west. A car dealership and gas station have also been developed since the subject property was developed in 1992. Based on the current character of the area, as well as the goals and policies called out in the City's current Comprehensive Plan, staff is recommending that the Planning Board forward a recommendation to the City Council in support of the applicant's request to remove the contract zoning on the western portion of the property, which would remain as CG2 zoning. The proposed change would allow the property owner to further develop the site consistent with the zoning regulations and development standards currently in place.

Board Member Stewart noted that 10 significant trees are discussed in the Environmental Checklist, but they are not identified on the site map. She requested more information relative to the trees. Mr. Conrad advised that six trees are located in the parking area and four trees are located along 220th Street SW. Board Member Stewart asked if the trees along 220th Street SW are located on the subject property or within the City's right-of-way. Mr. Conrad said he believes the trees are located on the subject property. He noted that, as per the contract rezone, improvements on 220th Street SW maximized the right-of-way to accommodate the sidewalks and the required street trees had to be planted on the private property.

Board Member Stewart emphasized that the City encourages developers to retain trees to the maximum extent feasible, and she hopes consideration will be given when the plans are drawn up. She noted that the trees appear healthy.

Board Member Rubenkonig noted that the Staff Report refers to the existing trees as mature trees that were retained when the site was developed in 1992. However, it is important to keep in mind that there were more trees on the site before it was developed. In the contract rezone, the City Council specifically called out the remaining trees as trees that should remain on the site after development. She summarized that the conditions of the contract rezone relative to traffic mitigation and hours of operation have been met over the past 24 years. The only thing that would change if the contract is removed is that the

trees would be removed in order to build as planned. She suggested the Board consider how the site has maintained its integrity for the past 24 years and the presence the trees add to the parcel.

Brian Dickerson, PacLand, said he was present to represent the applicant, Merlone Geier Partners. He thanked Mr. Conrad for his thorough Staff Report and indicated support for the staff's recommendation of approval. He referred to the criteria the Planning Board and City Council must consider when reviewing rezone applications, and said he believes the application meets the criteria due to changes that have taken place along the Highway 99 Corridor over the last 24 years. The proposed application would retain the underlying CG2 zone, but eliminating the contract would allow for further development of the property that is consistent with the City's goals for development along the corridor. He noted that changes in the area include additional development, roadway improvements, and better transit service. He believes the proposed rezone would be compatible with the surrounding uses, and he foresees additional development along Highway 99 consistent with the City's Comprehensive Plan goal of encouraging a variety of mixed commercial uses. He provided a map of the subject property, identifying the location of the existing building, as well as the property that is currently governed by a contract rezone. He summarized that eliminating the contract would provide for better utilization of the parking lot and would be compatible with the surrounding area, as well as the goals and policies called out in the Comprehensive Plan for the Highway 99 Corridor.

Chair Tibbott asked if Mr. Dickerson has any thoughts on how the property might be developed if the contract is lifted, other than as a "new shops building." Mr. Dickerson suggested that would be a better question for the applicant or property owner to answer.

Chair Tibbott opened the public hearing. No one in the audience indicated a desire to provide comment, and the public portion of the hearing was closed.

Mr. Lien explained that the current application is a site-specific rezone request, which is a Type IV-B (quasi-judicial) decision. The application was submitted by the property owner and was not initiated by the City. He explained that quasi-judicial decisions involve discretionary judgment by the decision bodies. The Planning Board is being asked to conduct a public hearing and make a recommendation to the City Council. The City Council will consider the application in a closed-record review and make the final decision. The record on the application is established by the Planning Board. When the City Council considers the Planning Board recommendation, they can only consider what was discussed at the Planning Board hearing and no new information can be considered. He reminded the Board of the decision criteria for rezone applications found in Edmonds Community Development Code (ECDC) 20.40.010, and noted that the Staff Report addresses how the application is consistent with each criterion. When the Planning Board formulates its recommendation to the City Council, it should make mention of whether or not the application is consistent with the criterion. He emphasized that appearance of fairness is also important. Board Members should disclose any contact they might have had with the applicant or any other appearance of fairness issues.

Vice Chair Lovell asked the purpose of the proposed new shops building. **Ross Vontver, Merlone Geier Partners**, said the proposed building is intended to house small shops, and small shop owners have expressed an interest in locating in the new building. If the proposed rezone is approved and the building is constructed, it is likely that three tenants could be accommodated in the approximately 6,000 square foot building.

Vice Chair Lovell noted that the site is currently classified as part of the Medical Use (MU) District. Mr. Lien agreed that the parcel is located within the Highway 99 Corridor and MU District. Vice Chair Lovell pointed out that CG2 zoning within the MU District allows for greater building height and massing. It also has fewer restrictions relative to retail uses on the ground floor, and allows for a mixture of uses that includes residential. He asked if the property owner has given any thought to incorporating residential uses to a greater degree in future development. Mr. Vontver answered no. He explained that the new tenant for the existing building is Winco, and their parking requirement is such that they would only agree to allow the proposed 6,000 square foot building.

Vice Chair Lovell voiced concern that there would still be too much parking area even if the contract is lifted and a new building is constructed on the site in conjunction with the existing building. He asked if a study has been done by Winco to clearly establish the amount of parking needed. Mr. Vontver answered affirmatively. Vice Chair Lovell recalled that, over the years, there have been a number of comments that there is a sea of parking available at this site that is not fully utilized.

Vice Chair Lovell provided pictures he took of the subject property to illustrate the location of the existing building, as well as the existing trees and landscaping. The pictures also illustrated the development that has occurred on surrounding properties since the subject property was developed in 1991, including a gas station, casino and car dealership. He also noted that a major mixed-use development has been proposed southeast of the subject property. He pointed out the trees that are located in the interior landscape area, as well as the trees that are located along 220th Street SW, and requested clarification about which trees would be retained as per the proposal. Mr. Dickerson answered that the trees within the planting strip on the west side of 220th Street SW would be retained and potentially added to. However, the interior trees, as well as most of the trees within the planting strip along the east side of 220th Street SW would likely have to be replaced to accommodate construction of the new building. Mr. Lien reminded the Board that the design standards for the CG2 zone require a four-foot, fully-landscaped planting area along the street.

Board Member Stewart recognized that the proposal is a rezone application and not a project application, and tree location and size will be required as part of the development permit application. However, she suggested that it would be helpful for the applicant to identify the existing trees and their diameter on the site plan when the proposed rezone application is presented to the City Council for review.

Board Member Stewart asked staff to clarify the difference between Mixed-Use (MU) and General Commercial (CG2) zoning. She said her understanding is the MU provides more flexibility for residential uses. Mr. Lien clarified that the MU designation to the north actually identifies the Medical Use District and not mixed-use zoning. He emphasized that residential uses are also allowed in the CG2 zone.

Mr. Lien clarified that the current contract on the site not only addresses the existing trees, it was written to be a binding site plan that only allows the grocery store use. As per the contract conditions, no other commercial structure can be built on the site regardless of whether the trees will be retained or not.

Board Member Stewart asked about the height limit for buildings in the CG2 zone, and Mr. Lien answered that the height limit is 75 feet; but the subject property is located within the Highway 99 Corridor, which has been designated as “high-rise node.”

Board Member Robles asked if something other than Winco could have located on the site if the request to lift the contract had been submitted and approved two years ago. Mr. Lien answered affirmatively. Board Member Robles observed that lifting the contract would enable the site to be redeveloped in a number of different ways should Winco decide to vacate the property at some point in the future. Mr. Lien agreed that lifting the contract would enable the property to be redeveloped consistent with CG2 zoning, with no restrictions.

Board Member Rubenkonig observed that the Planning Board Agenda lists the application as a “citizen request.” This was confusing to her because, although the applicant is the property owner, he/she is not a citizen of Edmonds. Mr. Lien noted that there are very few choices to check on the Staff Report memorandum, and “citizen request” was the most appropriate.

Board Member Rubenkonig noted that there are several issues identified in the Staff Report that should be discussed as part of the record:

- Page 4 of the Staff Report makes it clear that housing is a permitted use in the CG2 zone.
- Page 5 of the Staff Report states that removing the mature trees would be an impact of removing the contract zoning as proposed by the applicant.
- Page 7 of the Staff Report states that the contract needs to be terminated in order for the southern section of the site to be developed. However, if other parts of the site were developed, the contract would not have to be dropped. The rezone request is really a site-specific situation because the building could be located elsewhere on the parcel without requiring termination of the contract rezone.
- Page 2 of Attachment 2 points out that the conditions for the contract rezone have been met, but the termination of the contract would eliminate the protection of the mature trees along 220th Street SW. She understands that the Design Standards will require that the site be landscaped in a certain way, but she questioned if there is any way the City could require that the trees be protected as part of the development proposal. Mr. Lien answered no. He reminded the Board

that they are reviewing a contact rezone application and not a building proposal. Board Member Rubenkönig said her intent was to point out the connection between terminating the contract and protecting the mature trees.

- Page 9 of Attachment 5 notes that 10 existing trees, as well as various shrubs and groundcover, would be removed in the parking lot landscape area to accommodate the proposed development.
- Page 7 of Attachment 9 goes back to 1991 and shows the high regard for the existing trees on the landscape plan as the contract rezone was considered in order to allow the existing grocery store building.

Board Member Rubenkönig asked staff to share their thoughts as to how protection of the mature trees could be considered in light of a possible motion on the part of the Board to terminate the contract. Could they put a condition on the termination of the contract? Mr. Lien pointed out that putting a condition on the termination would be essentially establishing another contract rezone, and that is not the request that is currently before the Board for consideration. Board Member Rubenkönig asked if the Board could recommend denial of the application based on the need to protect the mature trees that were called out for protection in 1991. Board Member Lovell reminded the Board that they are being asked to consider the request to remove the contract and rezone the property to CG2. He asked if the Planning Board would have an opportunity to review a future development proposal for the site. Mr. Lien answered that development proposals are not reviewed by the Planning Board.

Mr. Lien reminded the Board of the criteria that must be considered when reviewing rezone applications (ECDC 20.40.010). He stated the criteria as follows:

- Comprehensive Plan.** Whether the proposal is consistent with the Comprehensive Plan.
- Zoning Ordinance.** Whether the proposal is consistent with the purposes of the zoning ordinance, and whether the proposal is consistent with the purposes of the proposed zone district.
- Surrounding Area.** The relationship of the proposed zoning change to the existing land uses and zoning of the surrounding or nearby property.
- Changes.** Whether there has been sufficient change in the character of the immediate or surrounding area or in City policy to justify the rezone.
- Suitability.** Whether the property is economically and physically suitable for the uses allowed under the existing zoning, and under the proposed zoning. One factor could be the length of time the property has remained undeveloped compared to the surrounding area, and parcels elsewhere with the same zoning.
- Value.** The relative gain to the public health, safety and welfare compared to the potential increase or decrease in value to the property owners.

Chair Tibbott expressed his belief that the proposal to remove the contract is completely consistent with the current level of development along Highway 99 and the surrounding area. There has been a great deal of change over the last 25 years, and he expects even more change in the next 25 years. It makes sense to remove the contract and bring the entire parcel under one zoning designation. He said he believes the proposed new shop building will make the area even more walkable and interesting for those who might be on the sidewalk. It is close to the southern walkway and he would like to think by removing the contract, the owner might also consider opportunities for more intense development on the property that would make it not only more walkable, but also add the possibility of additional residents. He said he finds the proposal completely consistent with the rezone criteria.

Chair Tibbott said that while it is somewhat disturbing to think that some mature trees will be lost, he is confident that whatever is developed on the site will have adequate design review and preserve as much of the landscaping as possible. He said he envisions that a project would result in even more landscaping than what currently exists on the site.

Vice Chair Lovell expressed support for removing the contract, as well. However, it is important to keep in mind that what is there currently may not be there 10 years from now. Whatever is developed on the site in the future must be consistent with the CG2 zoning, which allows flexibility for redevelopment for the good of the Highway 99 Corridor and the City as a whole. The proposed change is warranted in light of the changes that have occurred within the hospital district, as well as the extensive development that is planned for the southeast corner of 220th Street SW and Highway 99. He said he believes further development of the site would result in a positive impact for the area.

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Board Member Rubenkonig commented that, although not required, the applicant chose to submit a site plan as part of the rezone application. She asked the applicant's representative to explain why other locations on the subject property were not pursued. Mr. Vontver explained that during the lease negotiations, Winco flat out denied the property owner the ability to construct a building in any other location other than the one identified on the site plan. As per the agreement, the building must be constructed in the proposed location or not at all. He noted that Winco voiced concern that a building closer to highway would block the view corridor and make the grocery store less visible from the street. Board Member Rubenkonig asked if any internal locations were considered. Mr. Vontver explained that buildings located within the interior of the site can be very disruptive to the grocery shoppers' experience. It also makes parking more difficult. Board Member Rubenkonig asked if it would be possible to place the new building in the southwest corner of the property. Mr. Vontver answered that the property owner is bound by the current lease with Winco, which will only allow one new 6,000 square foot building in the location identified. He explained that, originally, the property owner was unaware of the contract and believed the entire site was zoned CG2. It wasn't until later in the process that they discovered that the overlay needed to be addressed through a rezone application.

Board Member Robles asked if Winco might look more favorably on a different location for the building if the tenants of the new building were complementary to Winco's product. In other words, would Winco be willing to make concessions if the tenants of the new building drew additional customers to the site. Mr. Vontver explained that there were no prospective tenants when the lease was being negotiated with Winco. The only thing they knew was that the zoning allowed for retail uses, which is consistent with the type of shopping center development and the zoning. The leasing activity for the new shops building has taken place after the lease with Winco was signed. Board Member Robles expressed his belief that the contract should have been removed two years ago before the property owner entered into lease negotiations with Winco. Mr. Vontver agreed. Board Member Robles commented that the proposed change is good. However, when the proposal is presented to the City Council, it would be wise for the applicant to address common citizen concerns about tree location, lack of intensity in the development and the order of events that determined the location of the building.

Again, Mr. Lien reminded the Board that, with the current contract rezone, the proposed new shops building could not be located anywhere on the site. The contract rezone only allows for the existing grocery store building. Vice Chair Lovell asked about the length of the lease between Winco and the property owner. Mr. Vontver answered that the lease is for 40 years.

BOARD MEMBER LOVELL MOVED THAT THE BOARD FIND THAT FILE NUMBER PLN20150024 (REQUEST TO REMOVE THE CONTRACT ZONING AND ITS RESTRICTIONS ON THE WESTERN HALF OF THE PROPERTY LOCATED AT 21900 HIGHWAY 99) MEETS THE CRITERIA FOUND IN ECDC 20.40.010 AS OUTLINED IN THE STAFF REPORT DATED JULY 22, 2015, AND FORWARD A RECOMMENDATION OF APPROVAL TO THE CITY COUNCIL. BOARD MEMBER CHEUNG SECONDED THE MOTION, WHICH CARRIED BY A VOTE OF 5-0-1, WITH BOARD MEMBER RUBENKONIG ABSTAINING.

Board Member Rubenkonig explained that she chose to abstain from the vote because she felt the process was incomplete.

Vice Chair Lovell commented that it probably would have done well for the applicant not to show a plan, but just ask for the rezone to accommodate Winco. He said he believes the application will study options for constructing the building without removing all of the trees. However, that is not a subject of the application before the Board. Mr. Vontver said the applicant appreciates the sensitivity about trees. They are stuck in a hard place because they signed a lease with the grocery store tenant before they knew about the contract restrictions.

PRESENTATION OF DRAFT COMPLETE STREETS SR-104 CORRIDOR ANALYSIS

Mr. Hauss presented the draft Complete Streets SR-104 Corridor Analysis that was prepared by consultants from Fehr & Peers. He advised that the analysis was presented to the City Council on July 14th and another meeting will be scheduled at a later date. He advised that the study focuses on a five-mile stretch of principal arterial from 76th Avenue West to the Edmonds Ferry Terminal. Due to the various modes of transportation interfacing along this regional corridor (higher than average daily traffic, multiple bus stops, high pedestrian activity along certain sections, and bicycle connections), many deficiencies exist. The purpose of the analysis was to develop a corridor master plan that identifies safety, access

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management and streetscape improvements based on Complete Streets Principles. Guiding principles for the analysis included:

- Support both local and regional mobility.
- Improve circulation and safety for biking, walking and transit access.
- Reinforce the City's land-use vision, including at Westgate.
- Create a sense of arrival in Edmonds and tie to the waterfront.
- Coordinate with the state and other entities,
- Take a phased approach that provides benefits over time.
- Promote environmental sustainability and economic vitality.

Mr. Hauss displayed a map that was included in the analysis to identify the different road configurations that are present along the corridor. He noted that the roadway consists of a variety of four and five-lane segments. He advised that there are sidewalks on both sides of a major portion of the corridor, but there are some locations where there is only a sidewalk on one side. He also pointed out that there are no sidewalks where the corridor intersects with Highway 99. There are eight traffic signals along the corridor, as well as an emergency signal at 232nd Street SW.

Mr. Hauss shared a map that illustrates the average daily trips (ADT) on the corridor, noting that the street has significantly more ADTs than most other streets in Edmonds. From downtown to the intersection at 5th Avenue, ADTs are between 5,000 and 6,000 in each direction. However, ADTs on the remainder of the roadway are over 10,000 in each direction. He also provided a map to illustrate the current Level of Service (LOS), as well as the projected LOS in 2035 at each of the major intersections. He explained that the City's current LOS standard for intersections is LOS D, and the study indicates that, with the exception of the intersection at 238th Street SW, where improvements have been proposed, and the intersection of 76th Avenue West, none of the existing signalized intersections will fall below the City's LOS. He explained that because SR-104 is classified as a Highway of Statewide Significance, it is not required to meet the City's LOS D. The State's LOS is LOS E and LOS F.

Mr. Hauss provided a map that illustrates the collision history along the corridor over the last five years to determine where design or operational concerns translate into safety deficiencies. Due to the high volume of traffic on the roadway, there have been a very high number of collisions, particularly near the intersection of 100th Avenue West and SR-104. There were no non-motorized vehicle accidents reported along the roadway, and almost 100% of the accidents involved vehicles.

Mr. Hauss referred to a map that illustrates the average speeds along the highway. He explained that posted speed limits along the corridor are between 35 and 40 miles per hour (mph). The study found the average speed along the corridor is between 6 and 7 mph over the speed limit, and speed is not generally considered a problem unless the average speed exceeds the posted speed limit by 10 mph. However, there are some site distance issues due to the curvature of the roadway, particularly between 5th Avenue South and 100th Avenue West. There is also a site distance problem heading westbound near 95th Avenue South for cars waiting to make a left turn into the apartment complex, and a project has been proposed to address the problem.

Mr. Hauss provided a map to illustrate existing paved walkways and proposed walkway projects. He noted that there are numerous sidewalks and bicycle facilities that cross the corridor. The study identifies new walkway projects at 228th Street SW and 238th Street SW. He also provided a map to illustrate the existing and proposed bicycle facilities. He recalled that the initial goal of the study was to consider opportunities to provide bicycle facilities to create a new east/west corridor route for bicycles. However, after looking at the details in terms of safety, limited right-of-way and high cost, it was determined that a better option would be to provide alternative bicycle connections and not encourage bicycles on SR-104. He reviewed the projects that are currently funded, as well as projects that are planned in the future that include bike lanes, bike routes, trails, and bike sharrows. He specifically noted that bike lanes will be added on 220th Street SW, 228th Street SW and 100th Avenue West, which are all designated as major bicycle corridors.

Mr. Hauss referred to a transit map that highlights the existing bus routes along the corridor, as well as 100th Avenue, 5th Avenue and 234th Street SW. He also provided a map to highlight future transit routes, noting the potential for an additional route on 228th Street SW to connect SR-104 to the Mountlake Terrace Park and Ride. New transit service is also being

considered on 9th Avenue South/100th Avenue West and 220th Street SW. He noted the proposed link light rail stations at the intersections along Highway 99 at 200th Street SW and 245th Street SW.

Mr. Hauss provided a map to illustrate proposed modifications for access and internal circulation at Westgate to improve operations and the pedestrian experience. The modifications include consolidation of driveways and internal circulation drives in the southwest, northwest, and northeast quadrants.

Mr. Hauss reviewed that the analysis started in 2014 with input from the SR-104 Committee, which included a City Council Member, Planning Board Member, City staff, and representatives from the Washington State Department of Transportation (WSDOT) and Community Transit (CT). The Bicycle Committee was also invited to provide input, and a public workshop was held to solicit citizen feedback.

Mr. Hauss advised that the SR-104 Corridor Plan contains recommended projects that meet the study's guiding principles and can be phased over the next several years. He reviewed that the plan consists of 20 projects grouped into six geographical regions from north to south. He specifically noted the following projects:

- Evaluate additional ferry storage. Queues at the ferry terminal can be long on the weekend. Perhaps striping changes would be appropriate so the storage area does not go as far down SR-104. The State is also looking at a reservation system that would reduce queuing significantly.
- Pedestrian improvements at the Pine Street intersection. The west approach to the intersection would be improved to meet current Americans with Disabilities Act (ADA) requirements.
- Add a crosswalk and pedestrian actuated flashing beacons near the 5th Avenue South intersection to connect the pedestrian path to and from the bus stop. Post speed limit feedback signs on the exit to 5th Avenue for westbound traveling vehicles. Add ADA ramps to cross SR-104 and implement a flashing beacon to cross SR-104 where it connects to 5th Avenue.
- Extend the SR-104 westbound turn lane to 226th Street SW, provide access management from 100th Avenue West to 102nd Place West (in front of McDonalds and QFC), implement the Westgate Circulation Plan, and provide a mid block pedestrian connection on 100th Avenue West between the QFC and PCC.
- Install gateway signs in both eastbound and westbound directions.
- Add bicycle lanes or sharrows along 100th Avenue West.
- Install a left turn signal at the intersection of 95th Avenue West for the westbound movement.
- Install a HAWK signal with emergency vehicle activation at the intersection of 232nd Street SW.
- Complete pedestrian improvements on 236th Street SW.
- Coordinate the existing signal at 236th Street SW with the proposed new signal at 238th Street SW.
- Upgrade the intersection at 240th Street SW to include ADA standards for side streets, and add a sign restricting pedestrian crossings of SR-104.
- Add a westbound left turn lane at the intersection of Meridian Avenue North.

Mr. Hauss summarized that the total cost of implementing the plan is estimated to be approximately \$10 million. All of the projects are included in the Transportation Plan, and a certain number have been included in the City's 6-year Capital Improvement Plan (CIP). The remaining projects are identified in the out years through 2035.

Vice Chair Lovell requested more information about why the study was initially started in 2014. Mr. Hauss answered that the study was initiated at the suggestion of a City Council Member, and the original intent was to identify bicycle improvements and address safety concerns along the corridor. Vice Chair Lovell asked at what point the City engaged the consultant Fehrs & Peers. Mr. Hauss answered that Fehrs & Peers was hired to assist with the Transportation Plan Update, and they began working on the SR-104 Corridor Analysis in October of 2014.

Vice Chair Lovell asked if it is the City Council's intent to adopt the study and use it as a master plan to fix problems on SR-104. Mr. Lien answered that the recommended projects contained in the plan are intended to address the concerns and provide direction to the Transportation Plan and CIP.

Vice Chair Lovell referred to the “collisions” map and noted that 49% of the collisions over the past five years occurred near where Paradise Lane splits off of SR-104. Mr. Hauss clarified that the map is intended to illustrate that 49% of the collisions occurred along the stretch of roadway from 5th Avenue South to 95th Place West. He noted there were numerous accidents in front McDonalds and QFC, and the study proposes management access, as well as some C curbs and raised medians to make the area safer. The left turn lane for 226th Street SW would also be lengthened. Vice Chair Lovell suggested that perhaps even more should be done along this 1-mile stretch of roadway to make it safer.

Board Member Stewart asked if the plan would be incorporated into or referred to in the Comprehensive Plan. Mr. Hauss said answered that the projects identified in the recommendation section of the plan are all included in the Transportation Plan, and some are included in the 6-year CIP. The remaining projects are identified in the CIP as projects through 2035. He said the study will likely be referenced in the Westgate Plan and utilized when grant opportunities come available for projects along SR-104. He noted that the consultant ranked the projects based on grant eligibility and other criteria, and staff will consider the rankings as they move forward with future projects.

Board Member Stewart asked if everything in the plan is consistent with the Westgate Plan, and Mr. Hauss answered affirmatively.

Board Member Cheung asked if the bicycle route shown on 228th Street SW would be sharrows or an actual bicycle lane. Mr. Hauss answered that bicycle lanes would be provided from the Interurban trail to 78th Avenue West, and the remainder of the route would have sharrows. Board Member Cheung questioned the safety of using 228th Street SW as a bike route since it is a steep hill, as well as a public transportation route. He suggested that buses may end up getting stuck behind bicyclists who are traveling much slower unless there is a dedicated bicycle lane all the way through. Mr. Hauss pointed out that they are also adding bicycle lanes on 220th Avenue West as part of the overlay project from 84th Avenue West to 76th Avenue West. He agreed that the bike route could be changed from 84th Avenue West to 80th Avenue West, and signage could be placed on 228th Street SW at 80th Avenue West to direct bicyclists to the 220th Street SW bicycle lanes. This would enable bicyclists to avoid the steep hills on 228th Avenue SW.

Board Member Robles commented that with all of the new signage and accessibility for bicycles in the area, it is likely that the number of bicycles on SR-104 will increase even though it is not a designated bicycle route. He asked if the City would actually restrict bicycles from using SR-104. Mr. Hauss answered that the City would neither accommodate nor restrict bicycles on SR-104. Board Member Robles observed that discussions about bicycle facilities often exclude motorized vehicles, which are increasing in use throughout the community. Electric bicycles have access to streets that regular bicycles do not, and he suspects they will be used on SR-104 by people living nearby, as well as those traveling to the various bus stops. He noted that the use was incorporated into the Transportation Plan, and he questioned if it was transferred over into any of the projects identified in the analysis. Vice Chair Lovell replied that, as currently proposed, nothing is going to be done to accommodate bicycles on SR-104 because it is a Highway of Statewide Significance and the City has no jurisdiction. Board Member Robles asked if there would be signage to educate bicyclists of the alternative routes. Mr. Hauss advised that are both north/south and east/west routes that will be safer than using SR-104, and these alternative routes will be identified on the bicycle map that is used by bicyclists to figure out where the existing facilities are located.

Mr. Hauss announced that the bicycle lanes on 76th Avenue West will be striped in 2016 as part of a grant funded project that will also add some signage to identify the routes and distance to downtown Edmonds. The same type of signage will be provided from the Interurban Trail to downtown Edmonds, and all of the major activity centers will be identified on the signs.

Board Member Robles suggested that an alternate route to SR-104 is something the City should consider, at least in words, if not on the plan. Mr. Hauss said alternate routes to SR-104 have been identified in both the study and in the Transportation Plan.

Chair Tibbott noted that there is an east/west route from the ferry terminal that takes bicyclists up Main Street to 9th Avenue South, 220th Street SW, 84th Avenue West, 228th Street SW and then the Interurban Trail. He asked if there would be signage to designate a north/south route through neighborhoods without having to go all the way to 220th Street SW. Mr. Hauss answered that, with the exception of the intersection at 100th Avenue West and SR-104 where sharrows will be used, the rest of the corridor will have designated bicycle lanes to provide north/south access for bicyclists. However, he acknowledged that this project is several years down the road. Chair Tibbott said Board Member Robles is concerned that

northbound bicyclists may not want to go all the way to 220th Street SW before making a jog to the east. An earlier eastbound route may be more desirable.

Board Member Robles commented that there are numerous residential units along the corridor, and many people use the transit system. These are the people who are most likely to use bicycles. He suggested that education and disincentives would probably be all that is needed to get bicyclists to use the alternate routes rather than SR-104. Mr. Hauss said the grant the City received to improve bicycle facilities includes an education element, and the intent is to highlight the major north/south and east/west routes.

Board Member Rubenkonig said she finds the analysis to be great information for future policy direction. It is astonishing in its depth and attention to detail. She particularly appreciates the explanation for LOS levels found on Page 19 of the analysis. She also referred to the last paragraph on Page 21 of the analysis and said she appreciates the phrase, "expected to degrade," which is a starkly descriptive phrase that she finds more understandable than the earlier phrase, "LOS C, increasing to LOS D in 2035."

Board Member Rubenkonig noted that the plan calls for access management near the QFC and McDonalds. She observed that the City lost its opportunity to request frontage improvements as part of the recent McDonald's remodel. She asked if it is possible that future site redevelopment in this area could be conditioned so that mitigation dollars can be received. Mr. Hauss agreed that is possible.

Chair Tibbott asked if the proposed project list includes additional walkways on SR-104. Mr. Hauss said that, with the exception of Pine Street and where SR-104 intersects with Highway 99, there are sidewalks on both sides of the roadway. There is only sidewalk on the west side near Pine Street, and providing sidewalks at the intersection of SR-104 and Highway 99 would be costly and difficult because of the current roadway configuration.

Chair Tibbott asked for more information about C curbs, and Mr. Hauss said C curbs are typically used to restrict people from making left hand turns from parking areas.

Chair Tibbott recalled that there was a pedestrian fatality on SR-104 near Sherwood Elementary in recent years, but it may have occurred prior to the study's time period. Mr. Hauss said this accident occurred about seven years ago. However, it involved a motorcyclist and not a pedestrian. The motorcyclist swerved off the roadway and could have hit pedestrians, if present, but there were no sidewalks on 226th Street SW west of the SR-104 intersection at the time of the accident. He advised that this accident was used to support the grant application for a new sidewalk.

Chair Tibbott asked if bike lockers could be incorporated into development along the corridor, particularly near bus stop locations. This would allow bicyclists to store bikes and board buses rather than having to take their bikes all the way to downtown Seattle. Mr. Hauss said bike lockers were not noted in the analysis, but the Bicycle Plan identifies locations for bike lockers and bike racks close to SR-104. Chair Tibbott asked if the City or Community Transit/Sound Transit would provide the bike racks and lockers. Mr. Hauss agreed to contact Sound Transit and Community to discuss this concept further.

Board Member Cheung asked if there are potential sites for small park and ride lots along the corridor. Mr. Hauss said this option was not studied in detail. However, if SR-104 is going to become a major transit corridor, it would be helpful to provide a place for people to park rather than using neighborhood streets. He noted that there may be opportunities for Community Transit and Sound Transit to work with property owners to provide park and ride options, and he provided examples of where this has occurred. Board Member Cheung recalled that when the Sound Transit service started in Edmonds, many people complained that there was not enough parking. As a result, the trains were underutilized. If people do not have access to the major bus routes the service could be underutilized, as well.

Vice Chair Lovell said it appears the photograph from in front of the McDonalds was taken just after a ferry landed because cars are backed up going east on SR-104. He said it appears that McDonalds has received a lot of attention to allow their patrons to exit their lot going either right or left, and the result is longer waits in the left turn lane at the 100th Avenue West and 5th Avenue South intersections. He suggested the City should consider more intensive planning relative to the traffic

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condition in this location. Mr. Hauss said the designs included in the study are preliminary and a lot more discussion is needed before the projects move forward.

Vice Chair Lovell complimented the staff and consultant's work. The study is very thorough and complete and should be the basis for a lot of planning and implementation in the future.

Chair Tibbott said he also appreciates the fact that the analysis sets up Westgate as a gateway with signage. It will become a place of interest for people coming through. The study does an excellent job of not only highlighting the intersection, but the neighborhood, itself.

Mr. Hauss invited Board Members to email him their follow up questions. He reminded them that the City Council would continue their discussion relative to the analysis in August. Still under debate is whether the City Council will formally adopt the analysis. Because the projects identified in the plan will be transferred to the Transportation Plan, it is likely the plan will need to be adopted. Chair Tibbott noted that some of the projects have already been identified in the Transportation Plan, and the analysis can be used to inform future updates. The study provides a greater understanding of SR-104, and he appreciates the work done by the staff and consultant.

THE BOARD TOOK A SHORT BREAK FROM 9:10 P.M. TO 9:17 P.M.

CONTINUED DISCUSSION AND POTENTIAL RECOMMENDATION REGARDING CRITICAL AREA ORDINANCE (CAO) UPDATE

Mr. Lien reminded the Board that this is their sixth opportunity to review the CAO Update, and the Board held a public hearing on July 8th. After the hearing, the Board had some discussion about whether or not an 8-foot paved area was sufficient width for a critical area buffer to be considered physically separated and functionally isolated. The Board discussed that perhaps the separation width should be established at 12 feet, which is the standard width the City currently requires for driveways. He said he discussed this option with the consultant, who agreed that a 12-foot separation would be appropriate. He noted that other jurisdictions that have similar provisions do not specify width criteria. Some require studies and others do not. Since the public hearing, the language that talked about an 8-foot paved area being automatically classified as physically separated and functionally isolated was removed from the definition of buffer. Changes were also made to the language in 23.40.220.C.4, to read: *“Development Proposals within Physically Separated and Functionally Isolated Stream or Wetland Buffers. Areas that are physically separated and functionally isolated from a stream or wetland due to existing, legally established roadways, paved trails twelve (12) feet or more in width, or other legally established structures or paved areas twelve (12) feet or more I width that occur between the area in question and the stream or wetland may be considered physically separated and functionally isolated from the stream or wetland. Once determined by the director to be a physically and functionally isolated stream or wetland buffer, development proposals shall be allowed in these areas. The director may require a site assessment by a qualified professional to determine whether the buffer is functionally isolated.”*

Mr. Lien pointed out that the previous language automatically classified buffers that were separated by 8 feet or more as physically separated and functionally isolated. The new language states that buffers that are separated by 12 feet *may be* considered physically separated and functionally isolated. Once determined by the Director to be physically separated and functionally isolated, development proposals can be allowed. The Director can require a site assessment to make the determination.

Mr. Lien recalled that he provided some examples at the last meeting to illustrate the proposed new requirements for development in frequently flooded areas. He reminded the Board that development in the flood zones is guided by building code requirements: ECDC 19.00.025, the International Residential Code (IRC) for residential development, and the International Building Code (IBC) for commercial development. While the IRC does not require single-family residences to be elevated above the Base Flood Elevation (BFE), the first floor must be constructed to at least the BFE. The IBC requires structures to be constructed at or up to two-feet above BFE, depending on the category of the structure. He reminded the Board of staff's recommendation that the City require the elevation of the lowest floor to be constructed a minimum of 2 feet above the BFE for all new construction within the Coastal High Hazard Areas and Coastal A Flood Zones. He referred to Attachment 4, which outlines the proposed changes. As discussed by the Planning Board previously, the Building Code

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would be amended to read, *“For buildings in all structure categories located in the Coastal High Hazard Areas and Coastal A Flood Zones, the elevation of the lowest floor shall be a minimum of two feet above the base flood elevation, as determined from the applicable FEMA Flood Hazard Map.”* The Board also recommended that, rather than adding a footnote to each zone impacted by the new provision for frequently flooded areas, the best approach would be to amend the definition for height in ECDC 21.40.030 to read, *“For all properties located within the Coastal High Hazard Areas and Coastal A Flood Zones, height is measured from the elevation that is two feet above base flood elevation as identified from the applicable FEMA Flood Hazard Map.”*

Chair Tibbott asked if the BFE would be identified by the then applicable FEMA Flood Hazard Map. Mr. Lien said that rather than identifying a specific map, staff is recommending that the language be changed to say, *“The City will use the most currently adopted FEMA maps in determining whether a property is located in a frequently flooded area.”* This change will allow the City to use the most current map.

Vice Chair Lovell noted that the IRC does not require that residential development be elevated two feet above the BFE. Mr. Lien said that, with the proposed amendment, even single-family residential structures would be required to build at least two feet above the BFE within the Coastal Flood Hazard Area. To clarify a question from the Board, Mr. Lien advised that, when applicable, structures would still have to meet the American’s with Disabilities Act (ADA) requirements.

Mr. Lien recalled that, at the Board’s last meeting, Board Member Monroe asked for more information about non-conforming buildings and if they could be reconstructed within a critical area or not. He explained that there is existing language in the code with regard to permanent alterations to structure within the critical areas. ECDC 23.40.220.C.3 reads, *“This provision shall be interpreted to supplement the provisions of the ECDC relating to non-conforming structures in order to permit the full reconstruction of legal, non-conforming buildings within its footprint.”* He further pointed out that ECDC 17.40.020 establishes a 75% replacement cost threshold. If a structure is destroyed more than 75%, then redevelopment would be required to conform to the current code. To illustrate how these two provisions would be applied, Mr. Lien explained that if a house located within a stream buffer were to burn down, ECDC 23.40.220.C.3 would allow the house to be reconstructed within its previous footprint. However, if someone wants to remodel or rebuild a home but retain the non-conforming aspect, ECDC 17.40.020 would limit the remodel or redevelopment to the 75% replacement cost threshold. A property owner within a stream buffer could tear down and replace up to 75% of an existing home and still redevelop within the existing footprint.

Mr. Lien recommended that the Board discuss any remaining concerns and then forward a recommendation to the City Council to adopt the CAO Update as contained in Attachments 3 and 4.

Chair Tibbott said it appears that the definition for “Footprint of Development” has been changed from the “border of a foundation” to include some of the landscaping around the facility. Mr. Lien reviewed that “Footprint of Existing Development” is defined as *“the area of a site that contains legally established buildings; concrete, asphalt or gravel paved roads, parking lots, storage areas or other paved areas; driveways; walkways; outdoor swimming pools; and patios.”* He explained that developed lawns are not considered part of the footprint of existing development. However, crushed gravel around a structure would be considered part of the footprint of development. Although gravel is considered impervious material, theoretically, a property owner could pave over that section of crushed gravel and not expand the footprint of existing development. The Board Members had questions about whether or not all gravel areas, even those that are established in place of lawns, would be considered part of the footprint of existing development. Mr. Lien emphasized that the definition would require that the footprint of development only includes areas that have been legally established.

Board Member Stewart commented that the CAO Update has evolved into a good document, and she thanked Mr. Lien for his hard work. However, she voiced concern about ECDC 23.90.040.D.8.c, which allows stormwater dispersion outfalls, bioswales and bioretention facilities anywhere within stream buffers. She recalled that when the Board first started discussing the CAO update almost two years ago (September 24, 2013), a civil engineer representing the SnoKing Watershed Council attended the Board’s meeting to talk about this particular point. He said, *“No drainage structures or other improvements should be allowed in any critical area or the buffer of any critical area. Critical areas should not be used for stormwater treatment. Rather stormwater should be treated for proper flow control before it enters any critical area.”* A follow up comment, this same engineer said, *“The City has the option to adopt more requirements more stringent than the stormwater manual, if it so chooses, to protect local streams and wetlands.”* Board Member Stewart reminded the Board that buffers are supposed to be vegetated. They perform habitat functions for streams and wetlands, and they should not be used

for stormwater dispersion, outfalls, etc. Mr. Lien clarified that this section deals only with streams, which are allowed based on the hierarchy of conditions outlined in ECDC 23.90.040.D.8. He reviewed the conditions and emphasized that stormwater facilities are only allowed in streams if no other location is feasible. He reminded the Board that the City's current stormwater system is tied to streams.

Mr. Lien advised that the City's Stormwater Engineer reviewed the CAO Update and proposed changes to make the language consistent with the stormwater requirements. For example, ECDC 23.90.040.D.8.c, which applies to streams, and ECDC 23.50.040.F.8, which applies to wetlands, were added to address the requirements of the Phase II Stormwater Permit the City is currently working on. Board Member Stewart recalled the Stormwater Engineer's earlier comment that the City is working to make the requirements stronger and even better than what is required.

VICE CHAIR LOVELL MOVED THAT THE PLANNING BOARD FORWARD A RECOMMENDATION OF APPROVAL TO THE CITY COUNCIL FOR THE CRITICAL AREA ORDINANCE (CAO) UPDATE AND ASSOCIATED FREQUENTLY FLOODED AREA AMENDMENTS (ECDC CHAPTERS 23.40 THROUGH 23.90) AS OUTLINED IN ATTACHMENTS 3 AND 4 OF THE PLANNING BOARD PACKET DATED JULY 22, 2015. BOARD MEMBER CHEUNG SECONDED THE MOTION, WHICH CARRIED UNANIMOUSLY.

Vice Chair Lovell commended the staff and consultant for their invaluable work. The documents presented to the Board were first rate.

REVIEW OF EXTENDED AGENDA

Chair Tibbott reviewed that the August 12th meeting agenda will include a discussion on the Highway 99 Subarea Planning Process and an update on the Development Code Update Process. It will also include a public hearing on the Marina Beach Park Master Plan.

PLANNING BOARD CHAIR COMMENTS

Chair Tibbott reminded the Board Members of the City-sponsored volunteer picnic on August 9th. He also announced that he and Vice Chair Lovell would provide an update to the City Council on Planning Board activities. He encouraged the Board Members to review their contact information that that was provided in a recent email to make sure it is accurate.

Chair Tibbott reported on his attendance at the July 21st City Council meeting, where the City Council conducted a public hearing relative to the turf fields at the Old Woodway High School site. He recalled that the project has been in the planning phase for approximately four years and is now being disrupted just as it is being put into motion. He encouraged the Planning Board Members to carefully review park projects that come before them in the future and attempt to avoid these types of conflicts by providing the public early notification of issues that need to be addressed.

PLANNING BOARD MEMBER COMMENTS

Vice Chair Lovell reported on his attendance at the July 15th Economic Development Commission Meeting, at which the discussion focused on tourism, downtown business enhancement, and implementation of the Strategic Action Plan (SAP). It was reported that the Tourism Committee is proposing to take a hiatus for a time. They have made a number of studies and believe they have gone as far as they can for the time being. They made some recommendations, some of which are moving forward and others that are more long term. There was significant discussion about the SAP, particularly how to keep the public informed as to the status of the action items contained in the plan. Commissioner Haug has been working with the City's Economic Development Director to develop software to track the status of each of the action items for the public's information. The SAP Committee is working on ideas for increasing media attention and communication with the public.

Board Member Stewart said she listened to the video recording of the City Council's July 21st meeting, particularly the public hearing relative to the interlocal agreement with the Edmonds School District. Without offering her opinion on the matter, she expressed her belief that synthetic fields are needed and have been part of the plan for a long time. Unfortunately, none of the City Council Members or Planning Board Members were involved in the decision making process. The decision was

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made by the school district, without any input from the City representatives. She noted that there is significant community pressure for the school district to look again at the alternatives.

Board Member Rubenkonig announced that the Waste Warriors will be present at the Taste of Edmonds on August 15th and 16th to raise awareness for recycling. She invited Board Members to participate, and members of the group would instruct them how to recycle food and paper products. She summarized that this is a great opportunity to learn about what can be put in the yard waste and recycling containers and what must go to the landfill.

Vice Chair Lovell advised that he was a judge at the City-sponsored sand castle contest.

ADJOURNMENT

The Board meeting was adjourned at 9:55 p.m.

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