

**CITY OF EDMONDS
PLANNING BOARD MINUTES
June 28, 2006**

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

BOARD MEMBERS PRESENT

Janice Freeman, Chair
John Dewhirst, Vice Chair
Jim Crim
Cary Guenther
Jim Young
Virginia Cassutt
Judith Works
Don Henderson

STAFF PRESENT

Rob Chave, Planning Division Manager
Meg Gruwell, Senior Planner
Karin Noyes, Recorder

READING/APPROVAL OF MINUTES

BOARD MEMBER CRIM MOVED THAT THE MINUTES OF JUNE 14, 2006 BE APPROVED AS SUBMITTED. BOARD MEMBER YOUNG SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY, WITH BOARD MEMBERS WORKS AND DEWHIRST ABSTAINING.

ANNOUNCEMENT OF AGENDA

Meg Gruwell announced that appeals had been filed on the SEPA Determination of Non-Significance for the Edmonds School District's application to amend the Comprehensive Plan (File No. CDC-05-2). Because it is important to take care of all of the SEPA review prior to bringing the application before the Board, staff is requesting the Board continue the hearing to September. She explained that staff would re-issue the comment period to end on July 12th and the appeal period would end on July 26th. The Hearing Examiner would hear the SEPA appeal on August 17th, and the item could come back before the Board on September 13th.

BOARD MEMBER YOUNG MOVED THAT THE BOARD CONTINUE THE PUBLIC HEARING ON THE EDMONDS SCHOOL DISTRICT'S PROPOSED COMPREHENSIVE PLAN AMENDMENT TO REMOVE THE SCHOOL OVERLAY DISTINCTION AT 23700 – 104TH AVENUE WEST (FILE NO. CDC-05-2) TO SEPTEMBER 13, 2006 TO ALLOW FOR THE SEPA PERIOD AND RESPONSE BY THE HEARING EXAMINER. BOARD MEMBER CRIM SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

For the public's benefit, Mr. Chave explained that the Board would not be considering the Edmonds School District's application until September 13th. Additional SEPA notices would be sent out regarding future opportunities to comment, but no public testimony would be accepted by the Board now.

The Board invited Mr. Chave to provide a report on the Puget Sound Regional Council's work on the Vision 2020 + 20 Plan. This report was added to the agenda as item 5a. They also switched Items 7a and 7b.

AUDIENCE COMMENTS

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

REPORT ON THE PUGET SOUND REGIONAL COUNCIL'S (PSRC) WORK ON THE VISION 2020 + 20 PLAN

Mr. Chave recalled that in the early 1990's, the region (King, Snohomish, Pierce and Kitsap Counties) embarked on a process of completing a regional plan called Vision 2020, which was first adopted in 1995. The PSRC is now leading an effort to update this plan to extend it out to the year 2040. The purpose of the update is threefold:

- The PSRC believes it necessary to extend the plan out to the year 2040. Future growth projections identify 1.6 million additional people moving into the region by the year 2040, and this represents an increase of roughly 50 percent over the number of people living in the region now. The PSRC has made a commitment to conduct a public discussion to consider the impacts and make some choices for handling the growth.
- The strategies and policies need to be updated to provide clarity and detail so the plan is easier to understand and implement.
- Changes are necessary to support related regional goals and initiatives for growth management and to keep the vision current.

Mr. Chave explained that the PSRC has attempted to categorize the region according to the different places people live: metropolitan cities, core cities, large cities, smaller cities and unincorporated urban growth areas. He pointed out that Edmonds would fall within the "large cities" category. He explained that although King County is dominated by the larger areas, Snohomish County has very large unincorporated urban growth areas that connect the incorporated areas together. The PSRC has proposed four different and distinct alternatives for how regional growth could occur, and noted that more detailed information regarding the alternatives could be found on the web at www.PSRC.org. The public comment period on the draft Environment Impact Statement (EIS) and the proposed alternatives is from now until July 31st. He described each alternative as follows:

- **Growth Targets Extended** – With this alternative, 26% of the growth would occur in metropolitan cities, 17% in core cities, 9% in large cities and 10% in smaller cities. Unincorporated areas would absorb about 24% of the growth and 13% would be absorbed by the rural areas. Snohomish County might take issue with so much of the growth target being absorbed by the rural areas.
- **Metropolitan and Core Cities** – With this alternative, the largest growth would occur in the metropolitan and core cities. About 40% of the growth would be assigned to metropolitan cities and 25% to core cities.
- **Larger Cities** – With this alternative, a more significant percentage of the growth would be absorbed by the suburban areas and large cities.
- **Smaller Cities** – Using this alternative, more significant growth would be targeted for in suburban small cities and unincorporated areas.

Mr. Chave noted that the City must respond back to the PSRC regarding the proposed alternatives and the draft EIS by the end of July. There are potential local issues that must be highlighted during the regional review in order for the vision to work because there is quite a bit of variation in each city's ability to handle growth. For example, Edmonds is fairly built out already, so they have different issues to address than a city such as Marysville, which has a lot of open land. Each city must highlight their particularly challenges and problems under the proposed four alternatives. The City of Edmonds could respond that they like the idea of concentrating growth, but a significant population increase would not be feasible for Edmonds. The only way significant increases could occur would be to redevelop a substantial portion of the City.

Mr. Chave said one approach to providing a response would be for the City to identify what they like about the proposed alternatives and then point out the local limitations and issues. The existing Vision 2020 Plan is a collaborative approach that pays close attention to governance and policy issues, and the PSRC anticipates using this same approach with the new

APPROVED

plan to allow local jurisdictions to be responsible for its implementation. However, since this is a regional plan, all groups must pay close attention to make sure this concept is still part of the new plan. The City would also want to work with other cities in the County on a coordinated response to the proposed alternatives.

Again, Mr. Chave advised that comments regarding the EIS and the four proposed alternatives are due by July 31st. The PSRC anticipates having a supplemental draft EIS with the prevailing alternative out by the middle of 2007. They hope to have a final EIS and adopt a final plan by the end of 2008. While the process would be long and drawn out and often difficult for the public to understand, Mr. Chave emphasized the importance of public and City involvement. He explained that the regional plan drives the transportation plan, and all of the federal dollars are geared towards what the regional transportation plan says. He advised that the PSRC would provide a presentation to the City Council on July 18th, and the City Council would then work to formulate their comments back to the PSRC before the July 31st deadline.

Vice Chair Dewhirst asked if part of the analysis would include the cost of infrastructure. Mr. Chave replied that the PSRC would factor in all of the transportation improvements, but no specific cost analysis would be completed for the infrastructure.

Chair Freeman recalled that at the last City Council Meeting, Mr. Chave pointed out that the PSRC had the ultimate authority over what goes on in the region, so it is important to follow their work closely. As an example, Mr. Chave said the adopted regional plan identified a 3rd runway expansion at SeaTac Airport; however, local plans in the area did not include this expansion. The court found for the PSRC and went on to say that once a regional plan is adopted through a collaborative process and compliance issues arise, the regional plan would always prevail over the local plans. That is why cities must pay attention to what the regional plan says and then make local plans consistent with the regional plans.

Board Member Crim summarized that the proposed alternatives emphasize how important it will be for Edmonds to look at ways to foster reasonable growth in the City. Mr. Chave said documentation makes it clear that regional growth must be focused in the urban areas and local cities must accept this growth to the greatest degree possible. Even built out jurisdictions have opportunities to increase infill in strategic locations, and the City of Edmonds must do their share. Board Member Crim suggested that this information would be important to keep in mind when the Board considers the proposed Comprehensive Plan amendments for Five Corners and Firdale Village later in the meeting.

PUBLIC HEARING ON NEIGHBORHOOD PLAN FOR FIRDALE ANDN FIVE CORNERS

Mr. Chave advised that this public hearing is on a draft amendment to the Edmonds Comprehensive Plan modifying the language addressing neighborhood commercial areas and adding additional guidance for planning in the Five Corners and Firdale Village areas. He recalled that in 2005 the Edmonds Economic Development Director recommended that neighborhood commercial areas be reviewed for possible improvements to existing policies and zoning. Due to interest among property owners and the potential for redevelopment, Five Corners and Firdale Village were selected as two business districts to undergo a community planning process to update the Comprehensive Plan language, which would be followed by updated zoning regulations and design guidelines.

Mr. Chave recalled that in January the Economic Development Director organized an initial round of community planning meetings for Five Corners and Firdale Village. In April, a second round of community meetings was held to review a draft of possible new Comprehensive Plan language, both for the overarching goals of the neighborhood commercial areas and for some neighborhood-specific suggestions. He referred the Board to the draft language and explained that after holding a public hearing, the Board should make a recommendation to the City Council. The City Council would then hold another public hearing before making a final decision. Once the Comprehensive Plan amendments are adopted by the City Council, the Board could begin working with the neighborhoods to develop zoning regulations to implement the new Comprehensive Plan goals and policies. He emphasized that it is very important for the language to carefully describe what they want to see happen in these two areas, but the details would all have to be worked out in the zoning code. He noted that the existing zoning would not implement what the proposed plan amendments call for, so actual zoning issues such as height, setbacks, etc. would have to be addressed later.

APPROVED

Board Member Henderson referred to the draft language and noted that the first sentences in Sections D.6.a.ii and D.6.b.ii appear to use different phrases to describe the same thing. He suggested that these be changed to use consistent language for the number of stories that would be allowed. Chair Freeman said she attended the neighborhood meetings and found that the draft language accurately represents the consensus that was reached by the citizens. While the two sentences are not exactly the same, they do accurately represent what was decided at each of the meetings. Mr. Chave agreed that while the two sentences mean basically the same thing, the concept was stated differently by each group.

Brad Butterfield said that over the past year he has had the opportunity to work with property owners at Firdale Village and Five Corners, and he has attended the neighborhood meetings, as well. He congratulated the City staff on a job well done. They did an excellent job incorporating the comments provided by the neighbors and property owners in the draft amendments. While the proposed amendments are good, he reminded everyone that specific projects would still have to go through zoning changes and another public hearing process before they could move forward. He said everyone seems to agree that Firdale Village and some of the lots at Five Corners are some of the larger pieces of property available in the City for sensitive and well thought out development. They are different than the BC zones in the downtown area. These neighborhoods need well planned out projects that are financially successful for the property owners since this would provide the neighborhood with long-lasting, good projects. He encouraged the Board to recommend approval of the proposed Comprehensive Plan amendments as submitted by the staff.

Marcus Rodriquez said he is a business owner in the Firdale Village area and attended the neighborhood meetings. However, the proposal before the Board at this time does not reflect what a larger majority of the residents want. They want more gathering places and commercial development rather than residential. But the draft language appears to push residential development at Firdale Village. He asked if the public's concerns and requests would be initiated. He also asked how many people involved in the planning process have visited Firdale Village to see what the property owners and business owners are doing to improve the area.

Tony Shapiro reminded the Board that they just finished a discussion regarding the City's need to absorb a certain percentage of the anticipated population growth over the next 40 years. He said that he is working with an individual who owns property outside of the Firdale Village and Five Corners areas who is interested in applying the neighborhood planning concept to his property, as well. He encouraged the Board to also consider other areas in the City where this concept might be successfully applied. He said he plans to submit a rezone application on behalf of his client to piggyback with the changes that are being proposed to the Five Corners and Firdale Village neighborhoods.

Mr. Shapiro pointed out that while there is a need to maintain views in the bowl area of downtown Edmonds, a large portion of the properties in Edmonds do not have any view considerations. Additional height in these other areas would not block view and would not have a significant impact to surrounding properties. He urged the Board to send a message to the City Council asking them to consider greater building height limits in these areas to provide for higher residential densities to meet the City's future growth targets.

Don Krieman referred to the Vision 2020 +20 Plan Report that was provided earlier in the meeting by Mr. Chave. It is very true that the City must grow in order to comply with all of the rules to obtain regional transportation dollars, and there are three ways that this growth could be accommodated. First, they could fill in by replacing larger lots with smaller lots in the single-family neighborhoods. Another option would be to increase densities in certain locations in Edmonds such as Firdale Village, Five Corners, Perrinville, Highway 99, Westgate, etc. A third option would be to develop the remaining 5 percent of land in Edmonds as single-family. The problem with the third option is that much of this land is open space that surrounds existing neighborhoods. He noted that, at this time, developers are using the City's PRD provision to cluster the homes, cut down trees, bend the setback rules, etc. However, this has resulted in a significant impact to the character of the single-family neighborhoods, as well as the environment and wildlife habitat. He emphasized that 29 PRD's have been approved by the City in recent years, and he would much rather see four or five-story buildings in Firdale Village or Five Corners areas than wooded areas being cut to accommodate more single-family housing. He asked the Board to recommend approval of the proposed Comprehensive Plan changes and impress upon the City Council the need to save the wooded areas that are important to the City of Edmonds.

Jeffrey Sanderson said he is a resident of the Five Corners Neighborhood. He said he enjoys living in Edmonds and the sanctuary his neighborhood provides with the trees growing all around. On a recent vacation in Bend, Oregon, they were able to observe new development. He noticed that roundabouts are being used successfully at many of the larger intersections. He noted that comments were made at the neighborhood meetings about this concept, and it was suggested that Five Corners would be an excellent location for a roundabout. However, the proposed language does not mention them at all.

Robert Bretts said he also lives in the Five Corners Neighborhood. He reminded the Board that people are typically passionate about their neighborhoods. Allowing development in the Five Corners Neighborhood to be four or five-stories tall would place a huge burden on the residential property owners in order to meet the City's need for higher density. He said the infrastructure is not available in the Five Corners area to handle the additional density, while the infrastructure in the downtown area is underutilized as a result of the City Council's decision to limit the height. The City Council made a decision to lock the height limit in the downtown at 25 feet, and now they are asking neighborhoods like Five Corners to share the burden of this mistake. He urged the Board to limit the height of buildings in the Five Corners Neighborhood to 25 feet, as well.

Diane Hill said she lives in the Five Corners Neighborhood, too, and she agreed with Mr. Bretts' comments. She said she is disturbed when she hears that because this neighborhood does not have views, the height limit shouldn't matter. She expressed her belief that four-story buildings would be too high for a residential area and would destroy the neighborhood character. The neighborhood has already accommodated a huge density increase with the apartments that have already been developed. The neighborhood does not have sufficient infrastructure to support more traffic and still maintain the residential character of the neighborhood. She encouraged the Board to lower the height of the buildings back to two stories, similar to what the City Council decided to do with the downtown.

Warren Schweppe recalled that various people have commented on the height element of the proposed amendment for Five Corners, and he concurred that four or five-story buildings would be out of place. However, two-story buildings might be okay.

Eric Anderson said he owns the Five Corners Shopping Plaza property. He said if the City does not do something to resolve the problems in the Five Corners area, the existing development will remain the same and nothing new would be developed or changed. In fact, he said he might not be able to continue to keep maintaining what currently exists. With the setback requirements and other zoning regulations that currently exist, it is unlikely that any redevelopment would occur. He noted that beautiful projects have been done in other cities to provide more density. Even if all of the proposed Comprehensive Plan amendments were approved, the City zoning requirements would still demand beautiful projects. He encouraged the Board to not set the height limit at 25 or 30 feet in the Five Corners area. Because the properties are flat, it would not be feasible to develop the properties as such. He further encouraged the Board to forward the proposed amendments to the City Council as soon as possible.

The public portion of the hearing was closed.

Vice Chair Dewhirst said he attended most of the neighborhood meetings. They were extremely important and brought a lot of people to the table, including business owners, residential property owners, etc. The residents who attended voiced their concern about what the proposed changes would allow to happen in their neighborhood. However, he came away from the meetings with the impression that many people felt the current development at Five Corners was outdated. People are doing their best to maintain what they have, but there needs to be some incentive to update the area. The proposed Comprehensive Plan amendments are fairly indicative of what he heard at the meetings. The proposed language emphasizes pedestrian access, transit access, pedestrian connectivity, and the need for good design.

Vice Chair Dewhirst referred to Section D.6.a.ii, which talks about allowing development to occur up to four stories high. He expressed his belief that four stories would not be an outrageous height for this area, but the proposed language would be rather limiting because the additional floor would only be allowed if the development includes a public art component or follows green building standards. He suggested that the language used in Section D.6.b.ii would be more appropriate and

allow more flexibility for the City to obtain a public benefit in exchange for the extra height. The remainder of the Board agreed that the first sentence in Section D.6.a.ii should be replaced with the language in the first sentence of Section D.6.b.ii.

Board Member Crim reminded the Board that, in light of the Vision 2020 + 20 Plan that is currently being proposed, it clear that the City would be faced with the necessity of doing what they can to increase their housing stock. They are not talking about boxy buildings, but good design. Multi-story buildings with public gathering places could be attractive and positive additions to the neighborhood. He said he would be in favor of passing the proposed amendments on to the City Council with a strong recommendation that they be approved as submitted.

Board Member Henderson expressed his concern about including a reference to the number of stories that would be allowed in the Comprehensive Plan. This issue would be better addressed as part of the zoning code. Chair Freeman pointed out that the concept of allowing four stories came up at the neighborhood meetings. The proposed amendments accurately summarize the comments that were provided by those in attendance so she would be opposed to taking this language out of the draft amendment. Board Member Works pointed out that leaving in the reference to four-story buildings would make the neighborhood's intent clear, and then the specifics could be worked out as part of the zoning code changes.

Board Member Works clarified that issues related to the infrastructure would all have to be worked out before a development proposal could be approved. Mr. Chave explained that most comments were related to traffic. The City Engineering Department would consider options for improving the Five Corners intersection in the near future. While a roundabout is one of the options being considered, additional study is still needed before a final decision could be made.

Board Member Young also questioned whether the Comprehensive Plan is really the place to address the issue of height and the number of stories that would be allowed. He referred to a May 6th memorandum from the Edmonds Economic Development Director, in which she stated that the City's Comprehensive Plan designation and accompanying zoning regulations had not been reviewed in many years and they seemed to encourage more outdated "strip mall" development than the newer mixed-use "village-style" developments that are popular in other communities. He asked how the proposed amendments would address this concern. Board Member Cassutt answered that there would be no residential or open space with strip mall development, and the proposed amendments would encourage both. Mr. Chave added that the proposed amendments would require that buildings be oriented towards the street and that parking be located to the rear rather than in front. Chair Freeman noted that strip malls tend to be single story, so additional height would allow residential units on top.

Board Member Young recalled that several citizens voiced a concern about the lack of infrastructure to support redevelopment as proposed. However, the proposed Comprehensive Plan amendments do not make much of a commitment on the part of the City to address the issue. He said he would like the proposed Comprehensive Plan amendments to make infrastructure a priority.

Board Member Henderson said he would feel more comfortable if the Comprehensive Plan were to describe the neighborhood business areas as being village style development and then describe the characteristics of this style. Then the zoning code could identify the height limitations. He expressed his belief that the Comprehensive Plan should not restrict the height of buildings.

Chair Freeman expressed her belief that the proposed language represents a good summary of the comments that were made at the meeting. She suggested they go forward to get something started and then look at the other areas in the City where the same concept could be applied. She emphasized that the business districts should be distinct and unique places in Edmonds rather than all of them looking the same.

Vice Chair Dewhirst pointed out that once the amendments are approved, the City could start targeting money through the CIP process to implement the plans. It is too difficult to describe what is appropriate for each of these areas in a policy document. The proposed language sets the boundary and illustrates the collective thinking. The next step would be to work with citizens to iron out the specific zoning regulations to implement the Comprehensive Plan goals. He said he is comfortable with the proposed language. Mr. Chave explained that once the Comprehensive Plan amendments have been approved by the City Council, work sessions could be held with the neighborhood residents to work on the zoning issues.

BOARD MEMBER CRIM MOVED THAT THE BOARD FORWARD A RECOMMENDATION OF APPROVAL TO THE CITY COUNCIL FOR THE PROPOSED COMPREHENSIVE PLAN AMENDMENT (FILE NUMBERS CDC-06-9 AND CDC-06-10) WITH THE FOLLOWING CHANGE: REPLACE THE FIRST SENTENCE IN SECTION D.6.a.ii WITH THE FIRST SENTENCE IN SECTION D.6.b.ii. BOARD MEMBER WORKS SECONDED THE MOTION. THE MOTION CARRIED 6-1, WITH BOARD MEMBER YOUNG VOTING IN OPPOSITION. BOARD MEMBER HENDERSON, THE ALTERNATE, ALSO EXPRESSED HIS OPPOSITION TO THE MOTION.

THE BOARD TOOK A BREAK AT 8:25 P.M. THEY RECONVENED THE MEETING AT 8:40 P.M.

CONTINUED REVIEW OF MPOR ZONE

Mr. Chave reported that, during the break, Mr. Eric Sonnet asked him if the Board Members received a copy of the letter he sent to the City. The Board indicated they did not receive the letter, and Mr. Chave agreed to email them a copy as soon as possible.

Mr. Chave recalled that the last time this issue was discussed, the Board reviewed illustrations showing the relationship between setbacks and height, using the example of the Sunset Avenue topography. After further review, staff suggests the following factors must be considered when trying to provide a transition:

Physical/Visual Transition Factors

- Building Height
- Lot Coverage
- Setbacks
- Building Design/Massing

Use Transition Factors

- Property or Building Use(s)
- Parking or Access Factors

Mr. Chave said there does not seem to be a significant issue with the use factors, since they are narrowly defined to include residential and office uses. Parking would have to be provided on-site, and access would be controlled by normal City code requirements. However, in terms of physical/visual transition factors, there are at least a couple of ways to construct a transition. One way would be to provide a transition “rule” for each factor that is considered to be important. Another option would be to develop a choice matrix that provides some flexibility for how the transition is developed. He referred the Board to the two transition options provided on Page 2 of the staff report. He briefly explained the two options, using the Sunset properties as a benchmark for how the MPOR zone would work in practice. Property to the south would be zoned BC and to the north would be additional MPOR-zoned land, with RS-6 across the street to the east and further north. He reviewed each of the options as follows:

- **Option 1** – The property would use the BC height standard (25+5 feet from average level), combined with the RS-6 lot coverage standard of 35%. Setbacks would be 10 feet along the south (BC) property line because the 10-foot minimum standard is greater than the “0” allowed by the adjoining BC zone. Similarly, the setbacks along the north property line and street would also be 10 feet.
- **Option 2** – The property would use the RS-6 height standard (25 feet from average level), combined with the BC lot coverage standard (100%). Setbacks would be the same as those described under Option 1. This would result in lot coverage lower than 100%.

Mr. Chave pointed out that neither transition option would address the massing factor. Massing depends, in part, on lot coverage, height, and setbacks. However, the Board should also review the attached material on “massing” taken from the

APPROVED

old 2001 Draft Design Guidelines and decide if one or more of these concepts should be integrated into the standards for the MPOR zone.

Board Member Cassutt inquired if it would be possible for the Board to recommend that the MPOR zone be deleted from the Comprehensive Plan. Mr. Chave said that is one option the Board could consider. However, this type of Comprehensive Plan amendment would have to provide an alternative for the Sunset Avenue property. Board Member Cassutt suggested that the Board recommend the Comprehensive Plan for this property be changed back to single-family residential. Mr. Chave emphasized that this type of change would require a public hearing. Board Member Cassutt expressed her belief that the City Council made a mistake when they created the MPOR zone and they should do away with it. Vice Chair Dewhurst agreed. He pointed out that there are other ways to accomplish development on this property through a conditional use permit or an overlay. He said he would be opposed to tailoring a specific zone for just two pieces of property since this would be very time consuming and whatever they come up with would not really address all of the issues. Mr. Chave clarified that an RS-6 zoning designation would not allow for a conditional use permit or an overlay provision to deal with the unique situations that exist on the properties. He said he understands the Board's frustration in finding common ground, but the Comprehensive Plan was constructed the way it was for this property because of the unique circumstances that exist.

Board Member Young said the Board could either do as Board Member Cassutt suggested and get rid with the MPOR zone, or they could discuss the concept of "transitional use" and how it should be treated. He said he visited the Sunset Avenue site just prior to the meeting and did not find the two properties to be that unusual. They go out 20 feet from the front property line, drop off, and then they are flat. There are buildings developed on both sides, so the transition should be something that is compatible with the buildings and uses to both the north and the south.

Mr. Chave agreed that the Board must consider language to carefully describe the intent of the transition area. The intent of the original MPOR zone was to allow low-density office uses, as well as residential uses on the property to be a transition between the commercial and residential zones on either side. The Board must decide what aspects of the transition are important and how the transition should work. Board Member Young agreed that the Board must come up with a policy to identify when a transition would be appropriate and how they could combine the characteristics of the zones a property is transitioning between.

The Board discussed whether it would be more appropriate to provide a transition rule for each factor that is considered to be important or whether it would be better to develop a choice matrix that provides some flexibility on how the transition is developed. Mr. Chave pointed out that if massing is an important issue to consider, the Board should try to provide some design guidance right in the zoning ordinance. Chair Freeman noted that two of the massing requirements in the previous MPOR zoning language had been met by the proposed development, but the project was still rejected by the City Council. Because the MPOR zone is intended to be applied elsewhere in the City, the massing guidelines must be general rather than specific to this one property.

Board Member Henderson inquired if a developer could purchase both properties, combine both lots, and build a large house that straddles the property line. Mr. Chave said this would have been allowed under the previous RS-6 zoning designation. Therefore, the massing would be about the same as what was proposed by the previous applicant except the proposal included a slightly greater height limitation. Unless the Board adds specific language regarding the massing issue, they would be left with the rules set forth in the design guidelines. The Architectural Design Board would have some general design guidelines to apply up front through the initial design review process, but no other design guidelines would be available. Therefore, specific massing requirements should be included in the zoning code for the MPOR zone. Board Member Works expressed concern that if more specific design guidelines were included in the zoning language, the MPOR zoning language would not apply to other areas in the City, but only to this one piece of property on Sunset Avenue.

Board Member Henderson suggested that the Board consider moving forward with Option 2, to develop a choice matrix that provides some flexibility for how the transition is developed. Using the chart provided by staff on Page 2 of the staff report, an applicant would be able to choose which alternative they wanted to use. This would allow the MPOR zone to apply to other properties in the City, as well.

APPROVED

Mr. Chave said the only awkward thing about Option 2 is that it describes the setback default as 10 feet. This results in discrepancies as zoning on adjacent property changes. He suggested that one option would be to have a standard setback requirement from residential properties and a standard setback requirement from commercial properties. Vice Chair Dewhirst expressed his belief that, so far, the arguments have been very one sided towards the need to offer development opportunities to the property owners rather than protecting the residential neighborhoods.

Board Member Guenther said he definitely believes that development on the Sunset Avenue properties would be constrained, and it is difficult to define a transition from one zone to the other. The original MPOR zone language tried to be flexible for the property owners to present a master plan, but the City Council felt that was too flexible. The Board recognizes that because of the restrictive nature of the site, there should be some flexibility to allow creativity and a good solution. However, it would be very difficult to define the ultimate solution for this property in the code language. If the code provides flexibility, a developer would be able to find the best use for the site. Either option identified in the staff's chart would allow the property owner to come to that point.

Mr. Chave clarified that the Comprehensive Plan identifies the MPOR zone as a transition zone that could be applied to difficult and challenging lots. It was not intended to be a zoning designation that could be applied to any transition zone in the City.

Again, Vice Chair Dewhirst and Board Member Cassutt expressed their desire to eliminate the MPOR zone and change the designation of the Sunset Avenue properties back to single-family residential. The remainder of the Board disagreed. They felt they should move forward to resolve the concerns. Board Member Young recommended the Board consider the table provided by staff as the Board's approach for transition zones and Comprehensive Plan designations. Then they could work to come up with some criteria about what transition zones are and when they should be applied.

Mr. Chave reminded the Board that the City Council recently extended the moratorium on the MPOR zone, and they would like the Board to move forward as quickly as possible to provide their recommendation. They want the zoning language to be more specific than what the current language provides. They also want a better definition for the term "transition."

BOARD MEMBER WORKS MOVED THAT THE BOARD DIRECT STAFF TO DEVELOP THE TWO TRANSITION CHOICES DESCRIBED ON PAGE 2 OF THE STAFF REPORT INTO A FORM THAT COULD BE REFERRED TO THE CITY COUNCIL FOR APPROVAL. SHE FURTHER MOVED THAT THE PROPOSED NEW LANGUAGE DEFINE THE MPOR ZONE IN A GENERAL WAY THAT COULD RELATE TO THE ONLY MPOR ZONE IN THE CITY RIGHT NOW, BUT COULD ALSO APPLY TO OTHER AREAS. BOARD MEMBER CRIM SECONDED THE MOTION. THE MOTION CARRIED 5-2, WITH BOARD MEMBER CASSUTT AND VICE CHAIR DEWHIRST VOTING IN OPPOSITION.

Mr. Chave offered to sponsor a meeting between citizens on both sides to discuss ideas and see if a consensus could be reached to resolve the issue. This group could prepare some zoning recommendations for the Board to consider as part of their next discussion.

CONTINUED DELIBERATIONS/DISCUSSIONS ON DRAFT "BD – DOWNTOWN BUSINESS" ZONES, INTENDED TO BE APPLIED TO THE DOWNTOWN AREA TO IMPLEMENT THE COMPREHENSIVE PLAN (FILE NUMBER CDC-06-37)

Mr. Chave referred the Board to the updated draft of the "BD" zone, showing possible changes in the language stemming from comments made during the May 24th hearing. He said he also provided a copy of the design guidelines that were developed by Mark Hinshaw for downtown buildings. He suggested that some of these guidelines should be considered for inclusion as standards in the downtown BD zones, most likely the BD1 zone.

Mr. Chave referred to Item B.2.c at the bottom of Page 6. This new language was included to provide clear guidance for corner lots. Next, he referred to Item B.5 on Page 7 and recalled that the residents on 4th Avenue were opposed to different

height and setback standard for the BD-5 zone. The new language is an attempt to provide flexibility for commercial uses, but more guidance was provided for residential type structures.

Chair Freeman suggested that language be added to prohibit curb cuts in the BD1 zone. Mr. Chave said there is already a general rule in the engineering code that requires buildings to use access from the alley whenever possible. Mr. Chave recalled that a bank that is interested in developing the former AM/PM site at the corner of Dayton and 5th Avenue recently submitted a letter asking the Board to consider allowing drive-through businesses in the BD1 zone. They have sent preliminary drawings to the City indicating an interest in doing a pre-application meeting. The drawings show three curb cuts: one on Dayton, one on 5th Avenue and one on the alley. The current draft language would not allow drive-through businesses in the BD1 zone. The Board agreed that they did not want to change the draft language. Chair Freeman suggested they go one step further and prohibit curb cuts in the BD1 zone.

Chair Freeman referred to Item C.3.a.i, which would require a 15-foot step back from any street front. She recalled that the Board received a letter from Christopher Williams, who owns an office building on the corner of 5th Avenue and Bell Street. He would like to construct residential space on top, but the 15-foot step back requirement from any street front would prohibit him from doing this since his building is only 21 feet wide. She suggested that the language be changed to recognize that with narrow corner lots, the step back requirement would not be appropriate. Perhaps if the building did not exceed 25 feet in height, no step back would be required.

Chair Freeman pointed out that the language for the BD1 zone does not address additional setback requirements to eventually accommodate wider sidewalks in the downtown retail areas. While she understands nothing could be done until properties are redeveloped, the language should recognize this need. She noted that since no additional height would be allowed in the BD1 zone based on a recent City Council decision, there would be no incentive the City could offer the property owners to encourage them to setback buildings. All of the incentives identified in the language would get the building from 25 feet in height to 30 feet in height. She summarized that if the City wants to encourage wider sidewalks, they need to offer something to the developers in exchange. Board Member Crim expressed his belief that the way the current BD1 zoning language is written, there would be very little redevelopment in the downtown area. The remainder of the Board agreed.

Chair Freeman requested further clarification for Item D.4 on Page 12. Mr. Chave suggested, and the Board concurred, that this language should be deleted from the document. Chair Freeman also referred to Item D.1 and asked if there would be a parking requirement for residential development in the BD1 zone. Mr. Chave answered that there would be no parking requirement in the BD1 zone since most properties in this area do not even have alleys behind them. However, nothing would prevent someone from putting in parking space along an alley, if available.

Mr. Chave referred to Item B.5.b.i and explained that the BD5 zone would allow multi-family residential development for live/work arrangements. He said it is important for the Board to understand that no totally residential development would be allowed, but the language does not define how much of the space must be work related and how much must be residential. Whatever use is oriented towards 4th Avenue must have some live/work space or commercial space associated with it, but it doesn't say the space has to be used that way. Vice Chair Dewhirst said that if that is the intent, the language should make this clear. The most important thing is to get the space converted for a time when the market is ready to support live/work situations.

Board Member Works expressed her belief that dry cleaners, commercial parking, medical laboratories, clinics and hospitals, etc. should not be allowed in the BD5 zone. The remainder of the Board concurred.

Board Member Works recalled that Bob Gregg previously testified about his concern that the proposed language would require a rooftop garden to cover at least 75% of the roof in order to gain an exception for an elevator shaft. Mr. Chave said Mr. Gregg suggested that it would be better to let the developer decide how much space would be developed as a rooftop garden. However, staff believes it would be appropriate to set a minimum number such as 50% rather than leaving it up to the developer. The Board concurred that in the second line on Page 12, "75%" should be changed to "50% or greater". They agreed that if the City is going to offer a bonus for the extra elevator shaft height on the rooftop, they should require a substantial public benefit.

APPROVED

Board Member Crim said it is important that the City Council clearly understand the precedent they set when limiting the height in the BD1 zone to 25+5 feet. Now residential property owners in other areas of the City want them to offer the same protection. Chair Freeman agreed and pointed out that the Vision 2020 +20 Plan makes it clear that if the City does not do something to influence future changes, the changes would be forced upon them in order to meet the population growth projections.

Vice Chair Dewhirst said that until the design guidelines have been adopted, the guidelines for buildings in the downtown should be incorporated into the text of the proposed zoning language for all five BD zones. Mr. Chave pointed out that a joint meeting has been scheduled between the Planning Board and the Architectural Design Board on July 12th to discuss the design guidelines issue and identify the guidelines that should be included in the code as standards. Board Member Henderson said he would not support the concept of including all of the design guidelines for the downtown in the proposed zoning language.

The Board agreed that one more public hearing should be scheduled before the Board makes a recommendation to the City Council. It was noted that several changes were made since the last public hearing.

REVIEW OF EXTENDED AGENDA

Mr. Chave reminded the Board that a joint meeting with the Architectural Design Board has been scheduled for July 12th from 6:00 to 7:00 p.m. to discuss the design guidelines. The Board would also continue their discussion regarding the draft downtown business zone language in preparation for a public hearing on July 26th. They would also continue their deliberations on recommended changes to the MPOR zone. He said it is unlikely the Board would have time to discuss the proposed zoning changes for Highway 99.

PLANNING BOARD CHAIR COMMENTS

Chair Freeman reported that she watched the last City Council Meeting on television. At the meeting, a statement was made that the Planning Board has been swamped with work. It was suggested that the Board have more than two meetings per month. Another suggestion was that there be two Planning Boards. She said it is important that the Board is not blamed for holding things up, but they should not agree to having more meetings each month.

PLANNING BOARD MEMBER COMMENTS

Vice Chair Dewhirst reported that he recently met with the chair of the Architectural Design Board, as well as the City Council President. It was decided that the City Council President would be present at Planning Board meetings on a regular basis to help improve communications.

Vice Chair Dewhirst reported that he would be working on revisions to the City's pedestrian goals and policies. The City Engineer has provided some interesting points that he had not considered. An updated document should be available for Board discussion within the next few weeks.

Board Member Works said she was taken back by the email she received from a City Council Member. On one hand, he stated that he was speaking as a private citizen. On the other hand, he indicated how he would vote on an issue before being presented with the Board's recommendation. She expressed her belief that this was very inappropriate.

Board Member Works reported that she recently visited the city of Copenhagen, where there are numerous streets with businesses that step down below the pavement. While citizens of the City of Edmonds have expressed concerns about this concept, it doesn't seem to bother the citizens of Copenhagen at all.

APPROVED

ADJOURNMENT

The meeting was adjourned at 10:07 p.m.

APPROVED