

## PLANNING BOARD MINUTES

August 22, 2001

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Chair John Dewhirst called the regular meeting of the Planning Board to order at 7:00 p.m. in the Council Chambers, Public Safety Complex, 250 – 5<sup>th</sup> Avenue North.

### PRESENT

John Dewhirst, Chair  
Beverly Lindh, Vice Chair  
Virginia Cassutt  
Bruce Witenberg  
Joanne Langendorfer  
Jim Crim  
Cary Guenther

### ABSENT

Stan Monlux

### STAFF PRESENT

Steve Bullock, Associate Planner  
Karin Noyes, Recorder

### APPROVAL OF MINUTES

MOTION BY MR. WITENBERG, SECONDED BY MS CASSUTT, TO APPROVE THE MINUTES OF AUGUST 8, 2001 WITH THE FOLLOWING CORRECTIONS:

1. PAGE TWO, FOURTH BULLET, LAST SENTENCE, ADD “BE” BETWEEN “THEN” AND “PRESENTED.”
2. PAGE FOUR, THIRD PARAGRAPH, SECOND LINE, CHANGE “MONEYS” TO “MONIES.”

MOTION CARRIED

### ANNOUNCEMENT OF AGENDA

No changes were made to the proposed agenda.

### REQUESTS FROM THE AUDIENCE

There was no one in the audience to address the Board during this part of the meeting.

### CONTINUED REVIEW OF DESIGN GUIDELINES AND POTENTIAL CODE AMENDMENTS TO IMPLEMENT THE DESIGN GUIDELINES

Mr. Bullock referred the Board to the draft of a portion of the code amendments required to adopt the design guidelines. He advised that the proposed language would amend the Edmonds Community Development Code (ECDC) by replacing the existing Chapters 20.10 (Architectural Design Review) and 20.12 (Landscaping Requirements) with the bulk of the design guidelines. The general introductory and process-oriented portions of the design guidelines would be in the new Chapter

20.10, while various guidelines would comprise Chapters 20.11 (Site Design), 20.12 (Building Form) 20.13 (Building Façade) and 20.14 (Landscaping Requirements). The objectives would be adopted in the Urban Design Element of the Comprehensive Plan.

Mr. Bullock suggested that when reviewing the proposed code amendments, the Board should pay particular attention to Sections 20.10.020 and 20.10.025, which discuss how the guidelines will integrate with the current design review process and how the departures envisioned in the guidelines will work. He noted that Section 20.10.020 lists the approval requirements and identifies which items require ADB review and which can be approved by the staff. This section was left primarily as it current exists in the code. Next, Mr. Bullock referred to Section 20.10.025 which references design departures and who has the authority to grant them. He reminded the Board of their previous discussion that items that use the word “shall” are absolute requirements. The items that use the word “should” identify requirements that should be met, but staff could potentially approve a departure if mitigation is required. Mr. Bullock advised that in Section 20.10.020 there are very few things that staff can approve. They include minor requirements that do not relate to site design issues. The staff cannot approve departures from site-design requirements.

Mr. Dewhirst said that as he read the proposed code amendments over the weekend, it occurred to him that the Board’s order of process should be changed. He said he is concerned that if the Board spends a significant amount of time reviewing the design guidelines and the code amendments before they consider the design review process, they may end up having to rework the design guidelines and code amendments to fit the new design review process that is created last. He suggested that perhaps consideration of the design review process should be the next step before the code amendments are considered.

Mr. Bullock advised that staff has considered this same issue. He noted that the original plan from the City Council was that the design guidelines would be created first, with the necessary code amendments for implementation so that the Architectural Design Board (ADB) could begin using them as soon as possible. Then the Board was supposed to begin their review of the design review process. Mr. Dewhirst requested that the Board allow him to discuss the process with the Mayor, City Council President and ADB Chair when he meets with them next Monday. He said he still feels the more logical approach would be to consider the design review process prior to the code amendments to implement the design guidelines.

Mr. Bullock said that another option would be to approve the proposed code amendments to implement the design guidelines, but require that all departures obtain ADB approval. The Board could then work on the design review process according to the schedule outlined by the Council. However, the Board does have the option of addressing the design review process prior to considering the code amendments. He recalled a memorandum to the Board from the ADB outlining the process they would like the Board to follow. The ADB would like to have some time to use the design guidelines before the review process is considered.

Ms. Lindh agreed with Mr. Dewhirst’s concerns. She said that if the review process is not set up, it is difficult for the Board to determine whether the guidelines and code amendments are appropriate.

Mr. Witenberg recalled the rationale of the ADB in suggesting that they wanted an opportunity to work with the guidelines before any of the review process is amended. They expressed their desire to see if the design guidelines would solve some of the review process problems that the existing guidelines have. He also suggested that it might be easier for the community to consider amendments to the design review process if the ADB has used the design guidelines to identify areas where the current process is inadequate, as well as problems that have been addressed by the new design guidelines.

Mr. Bullock said that Mr. Witenberg accurately portrayed the ADB’s position. They would like to have the guidelines adopted so that they can start implementing them. If the existing problems are addressed by the new design guidelines, then the ADB would like to see the end of discussions related to changes in the design review process. However, the City Council has been adamant that they want the design review process to be changed to require ADB review earlier in the process. The Council wants to have the review process changed regardless of the impact of the new design guidelines.

Mr. Witenberg said his understanding is that, at this time, there is nothing to preclude the ADB from doing an informal pre-design review to help the applicant understand the requirements of the new design guidelines. This could be done without

impacting the role of the ADB as a hearings board and could also address the Council's desire for the ADB to be involved earlier in the process. However, this would not significantly change the ADB's role right away.

Mr. Bullock said that the current code language allows an applicant the opportunity to submit preliminary or conceptual designs to the ADB for review early in the process. This opportunity is also included in the proposed code amendments. He said staff encourages applicants to take advantage of this opportunity, but probably only 20 percent do. Mr. Bullock explained that because it is not a requirement, the City Attorney feels that allowing a pre-design or conceptual review as an option is appropriate. However, if the pre-design or conceptual review becomes a required part of the design review process, then the City Attorney has indicated a problem with allowing the ADB to continue to act as a quasi-judicial body, as well.

Mr. Witenberg recalled that one of the major criticisms of the existing design guidelines is that there are no concrete guidelines for the ADB and applicants to "wrap their hands around" as they put together and review projects. This has created delays and inconsistencies in the process. He suggested that at the meeting on Monday, Mr. Dewhirst should discuss this issue with the ADB chair, the Mayor and the Council President to see if a consensus can be reached on the appropriate process and to remind them of the issues being considered.

Mr. Dewhirst advised that the Council is anticipating the adoption of the design guidelines in late November or early December, or later depending on the time required to complete the budget process. He suggested that the Board's discussion on this item be continued to the next meeting after he has had a chance to meet with the Mayor and City Council President.

Mr. Bullock said that if the Council wants to move ahead with the adoption of the design guidelines with the process lagging behind a little, another option would be to add language in the design departure section requiring that all departures be approved by the ADB until the design review process has been amended.

The Board agreed to continue the discussion to the next meeting. Mr. Dewhirst said he would provide a progress report to the Board and staff after his meeting with the Mayor and the Council President.

## **REVIEW OF PROPOSED NEW MIXED USE AND MASTER PLAN ZONING CLASSIFICATIONS**

Mr. Bullock referred to the draft document and advised that Mr. Chave made all of the changes to the document that the Board discussed at their last meeting.

Mr. Dewhirst said that he has reviewed the document carefully over the past few days. He suggested that since this zoning classification is a new type of concept, perhaps they should start off by specifying its use for a specific area in the Medical/Highway 99 activity center. He noted that the Comprehensive Plan language anchors this concept to a specific area, but the purpose section in the proposed draft document would allow the special zoning to migrate to other areas in the City. He suggested that this could lessen the chances for the new zoning classification to be approved. He suggested that the boundaries of the special zoning classification should be clearly specified as noted in the Comprehensive Plan. If, in the future, there is a need for a special zoning classification for another area in the City, it is up to the City Council to change the special zoning classification to fit that specific area. He concluded that "one size does not fit all."

Mr. Witenberg agreed that it was not the intent of the Comprehensive Plan to apply the special zoning classification citywide. The Board agreed and requested that the first sentence in the purpose section be changed to clearly indicate that the special zoning classification would focus on a portion of the Highway 99/Medical Activity Center, only.

Mr. Dewhirst recommended that a new Section F be added to the Purpose Section to read as follows: "To expand the economic base of the City of Edmonds by increasing employment opportunities and the City's tax base". Ms. Cassutt recalled that at the last meeting, Mr. Chave advised that since this zone would not be used for the area abutting Highway 99, it would not be appropriate to include this statement. The Board concurred with staff.

The Board discussed the specific boundaries for the special zoning classification and tentatively agreed to the following: The area south of 208<sup>th</sup> Street down to 220<sup>th</sup> Street and the area west of the dotted line denoting the high-rise zone over to the

**APPROVED**

west side of 76<sup>th</sup>. They requested that staff provide a map for the next meeting that identifies these specific boundaries. Mr. Bullock advised that staff would provide a zoning map, a Comprehensive Plan map, a land use map, and a map identifying just the property lines.

Mr. Bullock advised that the current Comprehensive Plan allows mixed uses in the activity center area. The Medical/Highway 99 Activity Center Concept Map identifies mixed use development from 208<sup>th</sup> to 220<sup>th</sup> as discussed by the Board. He said, however, that this zoning designation does not go all the way to Highway 99, but it does go west of 76<sup>th</sup> Street. He further explained that the general Comprehensive Plan designates the area as mixed use commercial, which includes the current zoning designation. But it could also include the new business and residential zoning designation if the Comprehensive Plan is changed to say that the mixed use commercial land use designation could equate to the business/residential zone, as well. This does not mean that the zoning designation has to go west of 76<sup>th</sup>, but it could. However, based on the way the Comprehensive Plan map is drawn, the business/residential zone would be precluded from extended into the area that is right along Highway 99.

Regarding SEPA and Environmental Impact Statement (EIS) requirements, Mr. Bullock said staff believes that because the SEPA determination for the Comprehensive Plan, which included an EIS, already contemplated mixed use for this area and is consistent with what is being proposed, a new EIS would not required as part of the SEPA review for the proposed new zoning classification.

Mr. Witenberg referred to the list of policies to achieve the goals (Page 2 of the staff's memorandum), and suggested that Items A.3 and A.4 be placed before A.1 and A.2. He suggested that the idea is to protect the integrity of the single-family residential neighborhoods. Even though the order of the listed policies is not necessarily important, the psychological impression is important. The Board and staff agreed.

Mr. Bullock concluded that staff would provide some maps in the Board's next packets, as well as an overhead at the next meeting to discuss and draw the appropriate boundaries for the new zoning classification.

### **REVIEW OF EXTENDED AGENDA**

The Board discussed that the agenda for the September 12 meeting would include a continued review of the design guidelines and potential code amendments to implement the design guidelines, as well as further discussion regarding the timing of the design review process review. They will also continue to discuss the mixed use and master plan zoning classification.

### **PLANNING BOARD CHAIR COMMENTS**

Mr. Dewhirst requested that Board members contact him regarding any issues they would like him to discuss at his joint meeting with the Mayor and City Council President.

### **PLANNING BOARD MEMBER COMMENTS**

Ms. Lindh advised that she would not be present at the September 12, 2001 meeting.

THERE BEING NO FURTHER BUSINESS TO DISCUSS, THE MEETING WAS ADJOURNED AT 8:00 P.M.

**APPROVED**