

PLANNING BOARD MINUTES

March 5, 2003

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

PRESENT

Jim Crim, Chair
James Young, Vice Chair
Virginia Cassutt
Janice Freeman
John Dewhirst
Cary Guenther
Ronald Hopkins

ABSENT

Wayne Zhan

STAFF PRESENT

Rob Chave, Planning Division Manager
Don Fiene, Assistant City Engineer

Mr. Zhan was excused from the meeting.

READING/APPROVAL OF MINUTES

There were no minutes available for the Board's consideration.

ANNOUNCEMENT OF AGENDA

No changes were made to the proposed agenda.

REQUESTS FROM THE AUDIENCE

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

PUBLIC HEARINGS ON THE STORMWATER COMPREHENSIVE PLAN (FILE NO. CDC-03-5) AND THE SOUTHWEST EDMONDS BASIN STUDY (FILE NO. CDC-03-10)

Don Fiene, Assistant City Engineer, briefly reviewed the proposed Stormwater Comprehensive Plan. He explained that the document was divided into ten sections. The first is the introduction which explains that the purpose of the plan is to control erosion, manage water quality and quantity, protect the environment, protect properties and rights-of-way from erosion, and ensure the City is in compliance with Federal and State laws. He noted that some of the important regulations that had to be addressed in the plan include the Growth Management Act and the MPDS Phase II Permit, which was due on March 10, 2003. The first section also illustrates the flow patterns for the City. Mr. Fiene said the study was divided into many separate basins, and a basin map illustrates each of the basins that were studied. As part of each basin study, the citizens

were offered an opportunity to comment regarding their drainage concerns and provide input into the stormwater management program.

Mr. Fiene said the second section of the plan reviews the 1991 plan, and identifies how well the plan was implemented and things that must be carried over into the new plan. One of the major projects was the modification of regulations. In 1995 the City adopted a new stormwater management ordinance that was approved by the State. The City has also identified localized problems, made over 130 work orders and laid down over 2,000 feet of pipe per year. They created a funding strategy for capital and L & M in 1998 by adopting a separate stormwater utility for rate purposes. Another major component of the 1991 plan was public education and involvement. He said that since 1991, the Discovery Program has been developed, and the City now has a full-time environmental education coordinator.

Mr. Fiene said section three identifies the City's plans for stormwater management for new development and redevelopment. It contains two components: construction site run-off control and post construction stormwater management. He said the City adopted the 1992 Department of Ecology Stormwater Manual as their guide, but there is now a 2001 manual that provides more stringent guidelines. Because there is a lot of controversy regarding the new manual, the City is not proposing its adoption yet. They will continue to review the document to determine how it applies to Edmonds.

Mr. Fiene said Section 4 relates to illicit discharges, their detection and the City's customer response plan. He said illicit discharge includes any discharge not composed entirely of stormwater. Federal requirements will be met, and the plan calls for legal prohibition and enforcement of the code, a plan, and educational outreach. Their weakest area is that of a formalized plan for detection of illicit discharge. The proposed Stormwater Management Comprehensive Plan recommends that a formalized written plan be created so that the ordinance can be revised within two years of the issuance of the MPDS Phase II Permit. To do this, and to deal with all the other things related to the MPDS Phase II Permit, it appears the City will need to hire one additional employee beginning in the year 2005.

Mr. Fiene explained that Section 5 is the operations and maintenance section. It explains that the City currently has seven full-time employees and one part-time employee dedicated to maintenance and operations. They maintain over 4,000 catch basins and manholes, and are currently on an 18-month cycle to clean the catch basins. They deal with street sweeping, ditch maintenance, and they inspect the storm detention systems on a yearly basis. They are also responsible for customer response, as well as the repair and replacement program. The plan recommends that two additional employees will be necessary by the year 2008 or 2009 in order to maintain the system on a required one-year cycle as per the MPDS Phase II Permit requirements.

Mr. Fiene said Section 6 covers public involvement and education. The current program of targeting schools and the Discovery Program do a great job of proactively encouraging children and classes to participate in the programs such as beach clean ups, watershed fun fairs, beach walks, etc. The existing programs meet the State and Federal requirements. Regarding citizen involvement, Mr. Fiene again stated that advisory groups were formed for most of the basin studies, and public meetings for all of the basin studies were held. The public's input was considered throughout the development of the program. The plan also recommends that the City continue their outreach program for businesses and contractors by having annual meetings and providing best management practices handouts.

Mr. Fiene said Section 7 relates to fisheries resources. He advised that all of the water bodies have been studied extensively. Inventories have been completed for basins, critical areas, streams, etc. Because there are some observed problems with disturbances in the buffer areas, the plan recommends that a letter be sent to the citizens in these areas, telling them about the need to stay away from creeks and wetlands, etc. These people will also be invited to attend a meeting regarding critical areas buffers.

Mr. Fiene advised that Section 8 provides a hydraulic and hydrologic analysis, and Section 9 identifies the problems and a capital improvement program. When prioritizing projects the staff considered many factors such as health and safety, potential damage, frequency problems, environmental impact, outside funding, cost benefit ratio, etc. The plan assumes that Fund 412 will receive revenues from a new source, the Storm System Development Charge, which is still working its way through the Council process. Mr. Fiene explained that capital funding for projects is intended to come from bond funds in 2003 and 2005, revenues from the new source, grant funding and in-lieu-of funds for the Perrinville Diversion Project.

Mr. Fiene referred to the Capital Improvement Program that has been identified for the next ten years, and noted that preliminary cost estimates were provided for each project. He briefly reviewed the proposed plans for the Perrinville Diversion Program. In addition to attempting to obtain funding assistance from Lynnwood, staff will also research the possibility of obtaining in-lieu-of detention funds from future developers in the watershed. This would likely be a cheaper solution for the developers, and would provide a better situation for the citizens of the City.

Mr. Fiene advised that Section 10 outlines the financial program. He noted that a separate storm utility has been in effect since 1998, and the rates were recently increased and established through the year 2004. The rates have been planned out through 2007 to meet the City's five-year needs.

Mr. Fiene recalled that the public hearing on the plan was originally scheduled for February 12, 2003, but was postponed to March 5. Staff intends to submit their MPDS Phase II Permit before March 10 and move forward with the Comprehensive Plan, which will help meet the objectives of the MPDS Phase II Permit, as well as other State and Federal laws.

Mr. Fiene referred the Board to the Southwest Edmonds Basin Study, which was the final basin study for Edmonds. It was annexed into the City in 1995 or 1996. There are a lot of problems with the drainage in this area that were not addressed by the County. The City hired a consultant to study the area. Two public meetings were held to identify, review and prioritize the problems. The meetings were well attended, and the City is already beginning to implement the solutions.

THERE WAS NO ONE IN THE AUDIENCE WHO EXPRESSED A DESIRE TO PARTICIPATE IN THE PUBLIC HEARING. THEREFORE, BOARD MEMBER CRIM CLOSED THE PUBLIC HEARING.

BOARD MEMBER DEWHIRST MOVED THAT THE BOARD FORWARD FILE NUMBER CDC-03-5 (STORMWATER COMPREHENSIVE PLAN) TO THE CITY COUNCIL WITH A RECOMMENDATION FOR APPROVAL. BOARD MEMBER CASSUTT SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

BOARD MEMBER DEWHIRST MOVED THAT THE BOARD FORWARD FILE NUMBER CDC-03-10 (SOUTHWEST EDMONDS BASIN STUDY) TO THE CITY COUNCIL WITH A RECOMMENDATION FOR APPROVAL. BOARD MEMBER CASSUTT SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

PUBLIC HEARING ON REQUEST BY EDMONDS PUBLIC FACILITIES DISTRICT FOR REZONE OF PROPERTY LOCATED AT 410 – 4TH AVENUE NORTH FROM PUBLIC (P) TO RM-1.5 (FILE NO. R-01-214

Board Member Crim inquired if any of the Board Members had received or participated in any ex parte communications related to the rezone outside of the Planning Board Meeting. None of the Board Members identified an ex parte communication. Also, no one in the audience expressed concern about any of the Board members participating in the hearing.

Mr. Chave reviewed the staff report. He displayed a map and identified the subject property, which is located at 410 – 4th Avenue North. The subject property is owned by the Edmonds Public Facilities District. He said the property is across the street from property that was once owned by the Christian College, but is currently owned by the Edmonds Public Facilities District, as well. It is slated to be used as an arts center. The applicant is proposing that the property be rezoned from Public to RM-1.5, which would allow one dwelling unit for every 1,500 square feet of lot area. He said the surrounding zoning to the north, east and south of the property is RM-1.5, and the Public Facilities District property immediately west of the property is currently zoned Public.

Mr. Chave advised that the rezone request is consistent with the Comprehensive Plan and would allow the property to be redeveloped with a presumably new multi-family development that would be consistent and keeping in character with the area. Any subsequent development on the site would have to meet the zoning standards and would require design review by the Architectural Design Board. Staff recommends approval of the rezone request as presented.

APPROVED

Board Member Young noted that Item 1B on Page 2 indicates that the request is for a contract rezone. Mr. Chave answered that this is a typographical error. There is no contract being proposed in association with the rezone request.

THERE WAS NO ONE IN THE AUDIENCE WHO DESIRED TO ADDRESS THE BOARD DURING THE PUBLIC HEARING. THEREFORE, THE PUBLIC PORTION OF THE HEARING WAS CLOSED.

BOARD MEMBER DEWHIRST MOVED THAT THE PLANNING BOARD FORWARD FILE NUMBER R-01-214 TO THE CITY COUNCIL WITH A RECOMMENDATION FOR APPROVAL. BOARD MEMBER CASSUTT SECONDED THE MOTION. THE MOTION CARRIED 6-1, WITH BOARD MEMBER YOUNG VOTING IN OPPOSITION.

PUBLIC HEARING ON REUEST BY CITY OF EDMONDS FOR REZONE OF PROPERTY LOCATED AT 8505 BOWDOIN WAY FROM PUBLIC (P) TO RM-2.4 (FILE NUMBER R-02-238)

Mr. Chave advised that the applicant for this rezone request is the City of Edmonds, the current property owner. The property is located at 8505 Bowdoin Way, the site of the old fire station. The water tanks are located immediately west of the subject property. The property to the immediate east is zoned neighborhood business and to the north is a relatively new multi-family development (Montclair). The south side of Bowdoin Way is zoned single-family residential. He said the proposed RM-2.4 zoning would allow one dwelling unit for every 2,400 square feet of property. He concluded that the rezone would be consistent with the Comprehensive Plan and the zoning pattern immediately to the north and east of the property. Staff recommends approval.

Board Member Dewhirst inquired who owns the water tanks and the strip of land that goes from the street to the large parcel to the north. Mr. Chave answered that the water tanks are owned and maintained by the City of Edmonds. The strip of land is an easement to provide access to the tanks as well as emergency access to the Montclair Development.

Board Member Young inquired if the purpose of the rezone is to remove the public zoning designation so that the property is consistent with the surrounding zoning and more available for sale. Mr. Chave answered that the City is attempting to sell their property that is no longer operating. It is the City's presumption that a prospective buyer would most likely tear down the fire station. Therefore, it is unlikely that someone would be interested in purchasing the property under a limited public use zoning designation. Board Member Young pointed out that another reason for supporting the rezone is that it would raise the value of the property and make it more attractive for someone to purchase.

Mr. Chave agreed, but added that the rezone would also make the property more compatible with the surrounding properties to the north and east. In addition, the neighbors in this area would no longer have a fire station on the site that could potentially cause some disruption to their daily activities. Also, since design review is required for future redevelopment of the site, the neighborhood would be able to voice their concerns regarding any design proposal.

Board Member Young inquired if public uses are allowed within any zone in the City. Mr. Chave answered that as far as public facilities and their location, they can be placed in any zone in the City under certain criteria. He explained that the public zone is much more narrow than it used to be. It is now intended for more regional types of facilities. He recalled that the City changed their community facilities regulations in the zoning code a few years ago, and this clarified that a lot of the neighborhood or smaller scale public facilities no longer require public zoning. These can actually occur in a variety of zones within the City.

The Board noted the same typographical error as noted in the previous hearing. The proposal is not a contract rezone.

Board Member Hopkins inquired regarding the size of the subject property. While no exact figures were available, Board Member Dewhirst estimated the size to be between 15,000 and 20,000 square feet.

BOARD MEMBER DEWHIRST MOVED THAT THE PLANNING BOARD FORWARD FILE NUMBER R-02-238 TO THE CITY COUNCIL WITH A RECOMMENDATION FOR APPROVAL BASED ON THE FINDING IN THE STAFF

APPROVED

REPORT THAT THE FIVE NECESSARY CRITERIA HAVE BEEN MET AND ALSO BASED ON THE FACT THAT THE PROPERTY IS BISECTED BY TWO DIFFERENT ZONING DISTRICTS RIGHT NOW. BOARD MEMBER YOUNG SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

REVIEW OF EXTENDED AGENDA

Board Member Crim referred the Board to the list of suggested topics for the upcoming Planning Board Retreat that was put together by Board Member Dewhirst.

Board Member Young explained that he represents the Planning Board on the Highway 99 Task Force. He recalled that there have been some interesting suggestions made at the past few meetings regarding Highway 99. In order to represent the Board effectively on the task force, he asked the Board to provide some guidance as to what their role should be in terms of economic development for the community. He questioned whether or not the Board wants to be more proactive regarding development ideas on Highway 99. He also asked that the Board provide guidance as to their expectations for the task force.

Board Member Cassutt said there was a good article regarding the Highway 99 Task Force in the newspaper. It discussed the fact that changes in zoning, height, etc. might be necessary to encourage new business. She suggested that Board Member Young let the task force know that the Board would be willing to consider any changes that need to be made as long as they are consistent with the Comprehensive Plan.

Board Member Dewhirst said that, by default, the City has identified Highway 99 as their adult entertainment zone. While nothing has become of this, they have two clashing thoughts about what Highway 99 should be. Board Member Cassutt commented that if the property were to be developed with other uses, there would not be any place for the adult entertainment to move in. Board Member Dewhirst agreed that could be possible, but the City is required to have a certain amount of area available for adult entertainment. This needs to be considered further by the task force.

Board Member Crim recalled that the Board's extended agenda of about a year ago included a discussion of the mixed-use zone north of the hospital between 76th Avenue and Aurora Avenue. The Board had briefly discussed the option of raising the height limits and allowing mixed used buildings in this area. He concluded that the Board is reasonably flexible in considering anything the task force brings forward. It appears this is an area in which some good commerce could be developed. The Board agreed.

Board Member Dewhirst said he would also like to spur some thoughts by throwing ideas out for the task force to consider. That is why he included the issue on his list of retreat topics. The Board agreed this would be a good topic for discussion at the retreat.

The Board agreed that the list of topics, as presented by Mr. Dewhirst, is an appropriate place to start. Mr. Chave asked that the Board Members review the topics and identify any additional information they would like the staff to provide. Board Member Crim said it would be helpful to have a detailed map showing what the zoning along Highway 99 currently is. Board Member Dewhirst also asked that the staff provide a map identifying the undeveloped and underdeveloped land along Highway 99.

Board Member Young said he would try and report to the Board after each of the Highway 99 Task Force meetings he attends.

PLANNING BOARD MEMBER COMMENTS

None of the Board Members provided comments during this portion of the meeting.

APPROVED

PLANNING BOARD CHAIR COMMENTS

Board Member Crim had no further comments to provide.

The meeting was adjourned at 8:00 p.m.

APPROVED