

## **PLANNING BOARD MINUTES**

### **February 23, 2005**

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Chair Young 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.

#### **BOARD MEMBERS PRESENT**

James Young, Chair  
Janice Freeman, Vice Chair  
Jim Crim

#### **BOARD MEMBERS ABSENT**

Don Henderson

#### **STAFF PRESENT**

Rob Chave, Planning Division Manager  
Steve Bullock, Senior Planner  
Jennifer Gerend, Economic Development  
Director

Virginia Cassutt  
John Dewhirst  
Judith Works  
Cary Guenther

Board Member Henderson was excused from the meeting.

#### **READING/APPROVAL OF MINUTES**

**BOARD MEMBER CRIM MOVED TO APPROVE THE MINUTES OF FEBRUARY 9, 2005 AS CORRECTED. BOARD MEMBER CASSUTT SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY, WITH BOARD MEMBERS WORKS AND DEWHIRST ABSTAINING.**

#### **ANNOUNCEMENT OF AGENDA**

No changes were made to the proposed agenda.

#### **AUDIENCE COMMENTS**

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

#### **REPORT ON POTENTIAL CODE AMENDMENTS ADDRESSING ESSENTIAL PUBLIC FACILITIES**

City Attorney, Scott Snyder, thanked the Planning Board for all of their work on the Comprehensive Plan amendments. His business is not the policy that is adopted, but making sure it is defensible, and the Planning Board's record and the way they showed their work was outstanding.

Mr. Snyder referred to the memorandum that he previously provided to point out that under the Growth Management Act, the City is obligated to have in place a process for the siting of essential public facilities. This provision is in the Comprehensive Plan, and in reading the minutes from the legislative hearings, there was some thought that cities would conduct community assessments to figure out what facilities they need and plan for "locally unwanted land uses" (LULU's), which are facilities that no city particularly wants. As a practical matter, they required that cities have a process for siting

essential public facilities in their communities. The reality is that in a community of roughly 40,000 citizens, there are drug addicts, recovering alcoholics, unwed mothers, children in need of foster care, etc. and the community must find a place to site the facilities that serve these people.

Mr. Snyder said the interim ordinance that was enacted by the City Council was a reaction to the Brightwater proposal in the sense that it addressed the issues specific to Edmonds. One issue it specifically addressed was what to do when two essential public facilities vie for the same space such as the multi-modal facility and Brightwater. The other issue was what to do about self-designated essential public facilities where a government agency in another jurisdiction designates itself as an essential public facility but never bothers to come to the community and ask to be planned for.

Mr. Snyder said the City must have a straightforward and relatively simple process in place for the siting of essential public facilities. The Growth Management Board has indicated that cities cannot kill essential public facilities with process. In addition, the process must educate the public that the intent is to condition the siting of an essential public facility rather than deny them. One of the issues that must be hammered out by the Growth Management Hearings Board and the Courts of Appeal between King and Snohomish County is the issue of conditions. For example, when does the imposition of conditions amount to preclusion and what can a jurisdiction do if the state or county fails to fulfill a condition of approval that was reasonable. At this time, however, the City needs a fairly straightforward procedure to site essential public facilities to accommodate its share of the load.

Board Member Freeman referred to Mr. Snyder's comment that a community the size of Edmonds has a need for various essential public facilities. She questioned if the City could preclude anyone from outside of Edmonds from using the facilities. Mr. Snyder answered that it would not be possible to preclude non-residents if there is a need for a certain type of facility in the area. Board Member Freeman asked if the facility would have to be located in Edmonds or if it could be in a location that is close enough for Edmonds residents to use the facility. Mr. Snyder said the siting of essential public facilities involves a "sharing approach." More than anything the City can do or say, costs will guide the State's siting of essential public facilities. Land values will be a determining factor, and the City's best protection is their high land values.

Again, Mr. Snyder emphasized that the City must have a process for the siting of essential public facilities in place when the State, another government entity, or a private non-profit provider or caregiver comes forward with a request to site a facility in the community. One of the difficulties is that the land is purchased for the use prior to the City learning about the proposed use. Therefore, having a process for accommodating these facilities within the community, with reasonable conditions, is very important.

Board Member Crim inquired if the City's current code includes a process for the siting of these facilities. Mr. Snyder answered that there is an interim ordinance in place to address this issue. He recalled that, for a number of years the City was a part of a process that was established through Snohomish County Tomorrow, by which the City joined by interlocal agreement. However, this process was incredibly convoluted. It was tossed out by the Growth Management Hearings Board as part of their Brightwater decision. He suggested that the Board review the interim ordinance, accept public testimony, make the necessary changes and forward a recommendation to the City Council. In addition, during the course of the year more guidance will be provided from the Growth Management Hearings Board regarding the King and Snohomish County situations.

Board Member Works asked when the interim ordinance would expire. Mr. Snyder answered that the interim ordinance has a six month limitation, and the current ordinance has been extended in the past. Mr. Chave said the existing interim ordinance expires in April or May. Mr. Snyder pointed out that the interim ordinance could be extended again, if the City has still not completed their work on a permanent ordinance. He concluded by suggesting that the Board keep the new ordinance simple and straightforward. It should be a process that educates the public to the limitations of the process.

Board Member Works inquired if the City has a list to identify the number of essential public facilities that are already located in the City. Mr. Chave answered that staff could probably put together a list of some sort. Mr. Snyder added that the City's Comprehensive Plan is required to evaluate community needs, but this section is about eight years old. When this section was initially created, the Planning Board accepted input from various portions of the public and private sector that are care providers in order to determine what the community's unmet needs were. Mr. Chave said that once a final ordinance is

in place, it would be appropriate as part of next year's Comprehensive Plan amendments to see if there were any additional facilities being planned.

Chair Young asked about the time frame for getting the new ordinance drafted and approved. Mr. Chave said that the ideal would be to get the new ordinance in place before the interim ordinance expires at the end of April. However, there is no requirement that it be done this quickly because the interim ordinance can be extended. He recalled that the Comprehensive Plan update actually incorporated policies that were intended to guide the ordinance.

Board Member Works inquired if there is a standard model ordinance that jurisdictions are using to create their ordinance. Mr. Snyder said he could pull together four or five sample ordinances from the Municipal Research Website. The Board agreed that this would be helpful. Mr. Chave said the Board could also use the interim ordinance as a starting place. Mr. Snyder said the interim ordinance serves to address the two specific Edmonds issues that have not been addressed either by legislation or by the Growth Management Hearings Board.

### **REPORT ON POTENTIAL CODE AMENDMENTS ADDRESSING METHADONE TREATMENT FACILITIES**

Mr. Snyder recalled that a few years ago, there was an announcement that a methadone clinic was going to be sited on Highway 99 in the City of Lynnwood, and the issue ended up in court with moratoriums, etc. Since that time, however, several things have happened to make this far less of a concern to the community. He said the City has a moratorium in place that will expire in the future. He suggested that the City does not need a particular zoning, but they should review their medical clinic zoning to see if the sites in that zone are appropriate for a methadone clinic. For example, there is a significant amount of medical clinic land located near the high school.

Mr. Snyder explained that at the time the first clinic was established in Lynnwood, the State didn't have any siting rules in place, even though they licensed the facilities. But now there is an extensive WAC provision that begins with city consultation. Also, since that time the Federal Courts have held that the American's with Disabilities Act protects methadone clinics, and cities that have medical clinics as providers cannot discriminate against methadone clinics. He pointed out that many private health care providers are sites for patients to receive methadone. The facilities being considered at this time are state licensed facilities that solely provide methadone treatment care.

Mr. Snyder concluded that as the Board reviews this issue they should keep in mind that current State law has established siting rules that are consultative. In addition, the Americans with Disabilities Act protects these facilities anywhere within medical zones. Thirdly, the Board should keep in mind that methadone treatment clinics are already located in Lynnwood and in Everett. Therefore, it is highly unlikely given the cost factors and the market, that one would also be located in Edmonds in the near future.

Mr. Snyder reported that Lynnwood allowed the facility to site within their medical zone. But Everett created an overlay zone which limits some sites that have a proximity to schools. They also provided some additional sites after working with the State in the siting process. He suggested that before the moratorium expires, the Board should review their current medical zoning. If they allow the moratorium to expire without making a change in the ordinance, they should understand that the Federal Courts will prohibit discrimination against a methadone clinic seeking to site within the City's medical clinic zone.

Chair Young inquired if the process of State licensing also relies on data such as the concentration of people needing a particular service within a certain radius. For example, he pointed out that hospitals must go through a rigorous process if they want to expand because they have to prove their expanded service would be needed. If the State or County is going to make an application to put an essential public facility in Edmonds, does there have to be a reason for it to be located in Edmonds. Mr. Snyder said there is a certification of need process, but it is broader than just the immediate community. The other factor the Board should keep in mind is that most facilities are located with substantial State or Federal Grant Funding, so certification of need would play a large role.

Board Member Dewhirst noted that the methadone treatment facility in Lynnwood has been in operation for about a year, and he has not heard any public complaints, nor has the Lynnwood City Council taken action. While these facilities are perceived as problems when, in reality, they probably are not. He said a lot of the perceived issues no longer exist. Mr. Snyder agreed. Disrupting property values or blown public perceptions do not provide a valid basis for a city to discriminate against the disabled. Board Member Dewhirst agreed and said that this makes neutral anything the City would want to do as far as creating a special process, etc. Again, Mr. Snyder explained that when the Lynnwood was proposed, the citizens were extremely concerned because there were no State rules in place to govern the siting of the facilities. There must be some forum for discussion, for educating the public, etc. The State rules now provide for a fairly lengthy consultative process that involves community meetings so the role of public education no longer needs to take place at the Council or the Courts.

Chair Young summarized that staff would provide sample ordinances for the Board's review, as well as a work plan on how the review process would proceed.

### **PUBLIC HEARING ON FILE NUMBERS R-04-129 AND ADB-04-132**

Mr. Bullock pointed out the location of the subject property, which is the northeast corner of 220<sup>th</sup> Street Southwest and 76<sup>th</sup> Avenue West. He emphasized that the application does not include the property that is immediately on that corner where there is a small chiropractic office. The applicant is proposing to develop a two-story Class A Office Building that would primarily be used for medical offices to support the Stevens Hospital area. Along with the two-story building, there would be an underground parking garage and surface parking lots surrounding the facility to provide the required amount of parking. He noted that the current zoning classification of the property is RM-2.4, and through the conditional use process, a medical office building would be permitted. However, the development would still have to comply with all the multi-family bulk regulations such as setbacks, height limits, lot coverage, etc.

Mr. Bullock explained that for a Class A Office Building, a much greater floor-to-ceiling height would be necessary in order to accommodate the equipment and ventilation systems associated with the proposed use. This need, along with the proposed plan to provide underground parking, would make it very difficult to construct a two-story building within the height limit that is allowed in the current multi-family zoning designation. In addition, a conditional use permit would be required to develop a medical office building in the multi-family zone. He referred to 76<sup>th</sup> Avenue West, which has redeveloped as a type of medical clinic corridor to support the hospital, and suggested that it would make sense to provide some zoning in the area that would allow medical offices as outright permitted uses.

Mr. Bullock advised that because the applicant has requested a contract rezone for the property and they are willing to commit to a building site design, the process would be a little bit different than the Board typically sees. The project has already been to the City's Architectural Design Board for review of the proposal's compliance with the design guidelines, and the application is now before the Board for a public hearing on both the design review of the project and the proposed rezone application. The Board must make a final recommendation to the City Council regarding both the design review element of the project and the rezone element of the project.

Mr. Bullock reviewed the zoning map. He pointed out that everything in pink indicates the existing commercial developments. A heavy pink line outlines the subject property, and the light green color signifies vacant land, although there is one lot in the middle that is a single-family residence. All the property to the east is commercial, and the properties identified by blue hatching are the medical related facilities. The dark green areas are multi-family, and the properties that are directly across 76<sup>th</sup> Avenue to the west are currently developed as single-family. They are up for sale and staff has talked to a number of people who are interested in purchasing them for some type of medical office use. He summarized that in the very near future, the subject property would likely be completely surrounded by some kind of commercial facility or medical office. There is high-intensity commercial development to the east, and just a very small amount of multi-family both to the north and to the south.

Mr. Bullock referred to Attachment 4, which outlines the Architectural Design Board's (ADB) review of the project. It includes the minutes from their meeting and the staff report that was submitted at the meeting with all its attachments. It also includes some additional information that was submitted by the applicant, as well as the ADB's recommendation to the

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Planning Board. He noted that the ADB voted to unanimously support the project design, its compliance with the City's design guidelines, and its compliance with the general commercial zone. However, they did recommend that a condition be attached to the permit to reiterate that it will always be the responsibility of the applicant to comply with the applicable code requirements. Because the plans reviewed by the ADB were on 11" by 17" drawings, they sometimes did not clearly show the details and dimensions of some of the planting beds, etc. Staff will review these plans as part of the actual development review phase of the project. Some of the final details and checking of numbers would happen at the development review stage of the project, and it would still be the applicant's responsibility to comply with the zoning requirements.

Mr. Bullock suggested that the Board focus most of their attention on how the project complies with the zoning criteria. The applicant has submitted a very detailed narrative about how they feel their project complies with the rezone criteria (Attachment 1). He said staff fully agrees with the applicant's findings, the information they have considered, and the conclusions they have drawn. He noted that some of the applicant's conclusions have been summarized on Page 4 of the Staff Report. Mr. Bullock advised that Attachment 3 of the staff report is the contract agreement proposed by the applicant. Staff is supportive of the applicant's proposed contract in that it would tie down what would happen on the property and provides a fairly high level of confidence as to what would be built on the site. However, staff does have some concerns with the element titled, "Site Development Exceptions" in which a couple of provisions were included to grant the applicants a little bit of relief in some setback issues related to landscaping. Unfortunately, when proposing a contract rezone, an applicant is limited to the setback standards allowed for the zone district. An applicant could restrict the development over and above what the zone district allows or requires from a bulk perspective, but the City cannot relax any of the bulk provisions beyond what the underlying zoning requires. He concluded that while staff is supportive of the proposed contract rezone, the applicant must voluntarily remove the Site Development Exceptions.

Ms. Gerend requested the opportunity to offer a few thoughts from an economic development perspective, since the proposal is for a substantial new commercial project. She pointed out that Edmonds doesn't have a lot of Class A Office Space, and this project really would benefit the medical cluster that was recommended in the Burke and Associates Report by strengthening the other medical uses nearby and Stevens Hospital altogether. The building could add anywhere between 50 and 150 jobs, since medical office buildings tend to be more staff intensive than regular office buildings. Ms. Gerend stated that she believes the demand for medical office space in Edmonds is pretty strong, and she certainly gets a lot of inquiries from doctors looking to locate near Stevens Hospital. The office market in the region is still a little bit soft, but medical office uses seem to be pretty strong. Finally, she expressed her belief that strengthening the medical cluster around Stevens Hospital would further benefit the retail developments along Highway 99. She concluded that she sees a lot of terrific economic benefits to the proposed project.

Board Member Works inquired regarding the definition for Class A Office Space. Mr. Bullock suggested that the Board allow the applicants to address this as part of their presentation.

Board Member Dewhirst asked what the setback requirements for the CG zone are. Mr. Bullock answered that the general commercial (CG) zone requires a 15-foot landscaped street setback, but typically no rear or side setbacks are required unless the property is adjacent to residential zones. He referred to Attachment 9, which is the zoning map and pointed out that residentially zoned property is adjacent to the northern and southern property lines of the subject property and a 15-foot landscaped setback would be required. He explained that the intent of this provision is that there be a buffer created between commercially and residentially developed properties. The awkward thing in this case is that the residentially zoned properties are currently being used for medical office space. Unfortunately, the code requirement for setbacks is black and white. It doesn't say residentially developed properties; it says residentially zoned properties. The staff will be working with the applicants to come up with other alternatives to potentially address the setback issue in the future.

Chair Young pointed out that the Comprehensive Plan identifies the subject property as part of the general commercial medical use area, and it appears that the property was accidentally zoned residential. He did not feel the public would raise a significant issue if the property were rezoned to be consistent with the Comprehensive Plan designation. Mr. Bullock agreed that the proposed rezone would be consistent with the existing Comprehensive Plan designation. He recalled that when the Planning Board was considering this area as part of the Comprehensive Plan review, they had some ideas about changing the zoning for the whole area. If the zoning of the residential properties were changed, the setback issues would be resolved. Mr. Bullock also recalled that the Board talked about this particular area being identified as a medical campus to support

Stevens Hospital. Therefore, staff believes the proposal would be consistent with the Board's vision of what the area should be. He pointed out the Board has plans to look at the zoning for the entire area later in the year. Mr. Chave agreed that when the Board worked on the concept of a new BR zone, this was one of the areas considered for application.

Chair Young said the application appears to be meritorious, but he questioned why the applicant is requesting a contract rezone rather than just a rezone. Also, he questioned what benefit the City would receive from the contract that they wouldn't get if the property were just rezoned to CG. Mr. Bullock explained that when an applicant approaches the City staff regarding a rezone, the staff always advises them of two options: a regular rezone or a contract rezone. He further explained that, oftentimes, applicants are unclear about the type of response they will receive from the surrounding property owners, and one of the ways to deflect opposition to a project is to submit a contract rezone that places conditions on the development. In this case, the applicants were far enough along in their design that they decided it would be best to commit the rezone request to the site plan. Mr. Chave pointed out that the proposed contract rezone includes a list of uses that would be prohibited, whereas a straight rezone to CG would allow many more uses that may or may not be appropriate for the site. Chair Young summarized that the City would benefit from the contract rezone because the applicant would commit to build an office building, which is a permitted use in the CG zone. Mr. Bullock clarified that the applicant intends to use a portion of the proposed building for office uses other than medical.

While the applicants set up their presentation, Mr. Bullock informed those in the audience that if they wanted to become a party of record and receive notice of the Board's recommendation and the City Council's final action, they should place their names on the sign up sheet by the door. He also entered the packet the Board Members received from staff as Exhibit 1, and noted that the Board's recommendation would go forward to the City Council as a closed record review.

**Brad Butterfield, Taylor, Gregory Butterfield Architects, 654 Fifth Avenue South, Edmonds, 98020**, introduced his partner Kent Gregory and Denny Derrickson from David Evans and Associates as partner on the design team. He addition, he introduced Dr. Sam Seto, Dr. Jane Young, Grace Seto and David Lee as development partners who were present in the audience to support the proposal.

Mr. Butterfield explained that the proposal is to construct a 50,000 square foot medical office building with approximately 240 parking spaces. The building would house medical offices, as well as their architectural firm. They expect to start construction this spring, with a move in date of spring, 2006. The applicants are seeking the Planning Board's recommendation to the City Council on the contract rezone application, as well as the Architectural Design Board's (ADB) unanimous approval of the project design. He said the applicants believe that a medical office building would be the highest and best use for the site, and it would certainly be commensurate with the other medical buildings in the neighborhood. Mr. Butterfield referred the Board to the two booklets the applicant presented to the Architectural Design Board: a technical manual explaining all the planning and engineering requirements for a complete ADB application for the project and a design presentation that displays the applicant's concepts for the buildings. He advised that the applicant's would be glad to answer any questions the Board Members might have regarding the application.

Board Member Works asked the applicant to further explain the term "Class A Office Building." **Kent Gregory, Taylor, Gregory, Butterfield Architects**, said that the term "Class A Office Building" refers to commercial buildings that have significant substance to them. They are usually made of steel, glass or metal. He noted that many of the medical buildings that currently exit in the area are wood structures that were built in the 1980's or 1970's, and the lifespan of wood structures is generally not as long. As the applicant's market the building for potential 10 and 15-year leases, they must present a building that has staying power, meaning a Class A Medical Office Building. Board Member Works inquired if the applicant's would expect the building to command a higher rent, and Mr. Gregory answered that would typically be the case.

Chair Young inquired regarding the demand for the type of office space being proposed by the applicant. Mr. Gregory explained that they were also the architects for the Stevens Pavilion Project that was completed about two years ago. It was constructed at 80,000 square feet and they felt this would probably fulfill the demand so when we began the new project they had some concerns. However, they have been surprised by the amount of interest and inquiries we have received regarding the project. They have only just started marketing the space, and they are already 40 percent full and anticipate filling the remainder of the space fairly quickly. He said he does a lot of work in the health care market and has found that for every square foot of hospital space that is built, an additional two to three square feet of outpatient space is needed to support the

hospital since more and more procedures are done in outpatient settings. He noted that every major hospital in the Puget Sound area has either recently completed, is in the process of completing or is planning to complete the construction of more medical office space. He concluded by stating that there really is good demand for this type of space.

Board Member Dewhirst stated that he believes the proposed project is the right type, size and design for the subject property, but he is concerned about the secondary access that would be provided on 220<sup>th</sup> Street. He asked if anything could be done to prohibit left turns from this exit point. Mr. Gregory said the applicants have reviewed this concern with the City Engineering Department. While they have not got to a high level of review yet, they have recommended and will probably require the applicant to install a wishbone device to prohibit cars from turning left onto 220<sup>th</sup> Street. Board Member Dewhirst reported that he has had occasion to visit the doctor's office across the corner from the subject property. While there is currently enough spacing of vehicles to allow cars to come out of 219<sup>th</sup> Street and turn left, the additional traffic generated by the proposed project could create a problematic situation by putting pressure on the 220<sup>th</sup> entrance and exit point. Rather than using a wishbone device, Board Member Dewhirst said he would rather the City put some type of barrier down the center portion of 220<sup>th</sup> to discourage people from turning left.

Chair Young requested that Board Members disclose any ex-parte communications they participated in regarding the application. Board Member Dewhirst disclosed that he had no conversations with any of the applicants or their consultants regarding the proposal. Board Member Freeman reported that she had not discussed the proposal with the applicants, either. However, she has done business with Mr. Butterfield, and Dr. Seto removed cataracts from her husband's eyes. Chair Young inquired if anyone in the audience objected to any of the Board Members participation in deliberations related to the contract rezone application, and no one voiced a concern.

Mr. Gregory suggested that before the Board goes into much discussion regarding the applicant's proposed exemptions, they would like to withdraw them from the contract proposal, with the understanding, hope and request that the Planning Board would address the code changes related to the area as a whole within the next 12 months. He explained that when the applicant decided to move forward with the contract rezone, they were very aware that the Board was planning to discuss the entire area in the near future. However, they were anxious to get their project underway. He advised that there would be latitude in the parking count to allow the applicant to provide the buffers. However, the applicants do not believe this would ultimately best serve the building because they anticipate a lot of demand for parking in the future. They would remain interested in working with the City to resolving the parking problem, but we don't need the additional space today.

Mr. Gregory clarified that on 220<sup>th</sup> Street, a 15-foot buffer would be required, and the site plan currently identifies a 10-foot buffer. They are very close to meeting that requirement and with a little work he felt it would be possible. The setback issues are related to the two properties on the north and south that are residentially zoned with medical buildings on them. He agreed that it would be painful for the applicant to provide the 15-foot required setbacks, but there would be some latitude because the building was designed to be 100 percent medical office space, and 25 percent would initially house their architectural offices, which do not have the same parking ratio requirements. However, he pointed out that the applicants believe the highest and best use of the proposed building would be medical office space. While they would eventually like to get the parking back, they don't have an immediate need.

Chair Young recalled the Board's previous discussions about the option of amending the Comprehensive Plan to identify the properties surrounding the hospital as mixed use commercial. He asked about the Board's schedule for reviewing this issue. Mr. Chave answered that the topic is on the Board's extended agenda, but no specific date has been scheduled. Because the Board has a full agenda for the first part of 2005, he would anticipate this issue coming up towards the latter part of the year. He reminded the Board that they already have a draft of the proposed BR zone to work with, and one public hearing has already been conducted. Therefore, he said he does not anticipate it would take a great deal of time for the Board to formulate a recommendation to the City Council. However, he pointed out that, in order for the applicant to take advantage of the new BR zone, they would have to wait at least a year for the Board to formulate a recommendation and for the City Council to make a final decision.

**BOARD MEMBER CRIM MOVED THAT THE PLANNING BOARD SEND FILE NUMBERS R-04-129 AND ADB-04-132 TO THE CITY COUNCIL WITH A RECOMMENDATION FOR APPROVAL, SUBJECT TO THE**

**APPROVED**

**WITHDRAWAL OF THE TWO SITE DEVELOPMENT EXCEPTIONS RELATED TO SETBACK RELIEF. BOARD MEMBER CASSUTT SECONDED THE MOTION.**

**BOARD MEMBER DEWHIRST MOVED THAT THE MOTION BE AMENDED TO ADD THAT THE BOARD RECOMMENDS APPROVAL OF FILE NUMBERS R-04-129 AND ADB-04-132 BASED ON THE FOLLOWING:**

- **THE PROPOSAL IS CONSISTENT WITH THE COMPREHENSIVE PLAN.**
- **THE PROPOSAL IS CONSISTENT WITH THE ZONING ORDINANCE.**
- **THE PROPOSAL IS APPROPRIATE FOR THE AREA BASED ON THE WORK THE BOARD DID WHILE CONSIDERING A MIXED USE ZONE AROUND THE HOSPITAL AND ON 76<sup>TH</sup> AVENUE.**
- **THERE HAS BEEN SUFFICIENT CHANGE IN THE AREA TO MOVE TOWARDS MEDICAL OFFICE AND SUPPORT USES FOR THE HOSPITAL.**
- **THE ECONOMICS IN THE AREA HAS CHANGED, MAKING THE PROPOSAL VERY APPROPRIATE.**
- **LOCATING MUCH OF THE PARKING UNDERGROUND, AS PROPOSED IN THE APPLICATION, WOULD BE ADVANTAGEOUS TO THE CITY.**

**BOARD MEMBERS CRIM AND CASSUTT AGREED TO BOARD MEMBER DEWHIRST'S PROPOSED AMENDMENT TO THE MOTION. THE AMENDED MOTION WAS UNANIMOUSLY APPROVED.**

### **REVIEW OF EXTENDED AGENDA**

Mr. Chave distributed an updated draft of the Planning Board's extended agenda. He noted that the March 9<sup>th</sup> agenda is very full and would include presentations on both the City and Edmonds School District Capital Improvement Programs. It would also include a report from the Skate Park Committee, as well as other items that are currently being discussed by the Board.

Board Member Dewhirst asked why the Skate Park Committee is scheduled to come back before the Board. Mr. Chave answered that this item was scheduled on the agenda at the request of the Parks and Recreation Department. Board Member Crim pointed out that the Board is also the Board of Directors for the Parks and Recreation Department and they may feel the project needs the Board's blessing. Mr. Chave suggested that Chair Young contact the Parks and Recreation Department to find out exactly why the item has been scheduled on the next agenda. Chair Young asked that staff have the Parks and Recreation Department Director e-mail him with more specifics. Board Member Crim suggested that the Parks and Recreation Department Director could send a letter to the Planning Board describing the status of the project. The Board could then provide a written response back.

Board Member Dewhirst inquired if the School District's Capital Improvement Plan would ask for a change in the Comprehensive Plan for the old Woodway Elementary School site. Mr. Chave answered that this is a separate application the district has already filed, but the application would not come before the Board until after the City Council has acted on the current Comprehensive Plan amendments. The Board should look at the relationship between the District's draft CIP and the amendment that was filed for the elementary school site. But he cautioned that the Board must not talk about the merits of the Comprehensive Plan amendment while reviewing the CIP. The merits for the plan amendment have to stand on their own, but it would be entirely appropriate for the Board to ask the District about their plans for the elementary school facility.

### **ADMINISTRATIVE REPORTS**

Mr. Chave reported that the City Council recently held a hearing on the Downtown Waterfront Plan portion of the Comprehensive Plan update. They accepted about 2½ hours of testimony on February 15<sup>th</sup>. Deliberations were held on February 22, but no conclusion was reached. Deliberations were continued to March 1<sup>st</sup>. At the close of the February 22<sup>nd</sup> discussion, a motion was made and seconded to approve the Downtown Waterfront Plan, and their intent is to entertain a series of amendments and debate to arrive at a final conclusion. The focus of the deliberations has been on the districts and the 33-foot proposed height limit. There has also been some suggested language and additions concerning historic

**APPROVED**

preservation, etc. He said he didn't hear a lot of comment or criticism related to the design objectives or the multi-modal facility, and it is possible the City Council could wrap up their deliberations on March 1<sup>st</sup>.

Chair Young inquired regarding the numerous copies of correspondence included in the Board' packets. Mr. Chave said these items were received by the Planning Staff with the request that they be forwarded to the Board. Board Member Works specifically referred to the correspondence that was submitted related to regulations for recreational vehicles. Mr. Chave noted that a discussion of the nuisance regulations has been placed on the Board's extended 2005 agenda, and this would include regulations associated with recreational vehicles. Chair Young summarized that the Board's response to this correspondence should be that the Board has placed consideration of the nuisance regulations on their 2005 extended agenda. Mr. Chave said the response letter could also encourage the citizen to forward their concern to the enforcement staff for consideration when they draft the materials related to the nuisance regulations. Board Member Dewhirst said it is important to point out that any new nuisance ordinance would not be retroactive. Only future situations would be regulated. Mr. Chave said this would all depend upon how the regulations are drawn up.

#### **PLANNING BOARD CHAIR COMMENTS**

Chair Young did not provide any additional comments during this portion of the meeting.

#### **PLANNING BOARD MEMBER COMMENTS**

None of the Board Members had additional comments to provide.

#### **ADJOURNMENT**

The meeting was adjourned at 8:30 p.m.

**APPROVED**