

**CITY OF EDMONDS
PLANNING BOARD MINUTES
March 14, 2007**

Chair Guenther called the regular meeting of the Planning Board to order at 7:46 p.m. in the Council Chambers, Public Safety Complex, 250 – 5th Avenue North.

BOARD MEMBERS PRESENT

Cary Guenther, Chair
Janice Freeman
Jim Young
Don Henderson
Michael Bowman
John Reed

STAFF PRESENT

Rob Chave, Planning Division Manager
Frances White Chapin, Cultural Services Manager
Don Fiene, Assistant City Engineer
Noel Miller, Public Works Director
Stephan Clifton, Community Services Director
Karin Noyes, Recorder

BOARD MEMBERS ABSENT

Judith Works
John Dewhirst, Vice Chair

READING/APPROVAL OF MINUTES

BOARD MEMBER FREEMAN MOVED THAT THE MINUTES OF FEBRUARY 28, 2007 BE APPROVED AS SUBMITTED. BOARD MEMBER YOUNG SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY, WITH BOARD MEMBERS HENDERSON AND GUENTHER ABSTAINING.

ANNOUNCEMENT OF AGENDA

Mr. Chave advised that the Parks and Recreation Department Quarterly Report would have to be rescheduled to a future date since the Parks, Recreation and Cultural Services Director was not able to be present.

AUDIENCE COMMENTS

There was no one in the audience who expressed a desire to address the Board during this portion of the meeting.

PUBLIC HEARING ON CIP UPDATE FOR 2008 – 2013 (FILE NUMBER AMD-07-3)

Mr. Fiene presented the draft 2008-2013 Capital Improvement Plan (CIP). He advised that the Growth Management Act (GMA) requires that the City update their CIP on an annual basis. He noted that the CIP is used as a long-range planning tool and identifies projects that are included in the Comprehensive Plan. He referred the Board to a spread sheet, which provides a list and description of the 12 funds. It also identified the project managers for each one. He advised that staff is

currently in the process of updating the Project Description Booklet, which would be posted on the City's website in the near future. The booklet describes each of the projects identified in the CIP. He reviewed each of the funds as follows:

- **Fund 112 (Combined Street Construction Improvement Projects) and Fund 125 (Transportation/REET 2)** – Mr. Fiene advised that these funds deal with the street overlay improvements, street widening, traffic signals, road stabilization projects, and all other transportation projects that occur within the City's rights-of-way. Sample projects include City overlay projects and the Casper/9th Avenue walkway project. He noted that a contract has just been awarded to a consultant to design the walkway project.

Mr. Fiene advised that funding for transportation capital projects is much improved compared to last year because REET 2 funding over and above \$750,000 has now been allocated for transportation projects rather than parks projects. In 2006 a total of \$1.43 million in REET 2 funding was collected, resulting in \$680,000 for transportation capital projects. However, even though the transportation fund now receives money from REET 2, it is important to understand that the fund also lost \$75,000 in motor vehicle tax in 2007, \$150,000 in 2006 and \$150,000 again in 2008. If this practice continues beyond 2008, the proposed CIP would have to be changed to identify a 40-year overlay cycle rather than the current 33-year cycle.

Mr. Fiene also expressed concern that the Olympic View Franchise fee dollars continue to go to the City's general fund rather than to the transportation fund. If this funding were allocated to the transportation fund, the City would be able to use the money to overlay streets in the Olympic View Water and Sewer District service area. Board Member Reed inquired if the two situations noted by Mr. Fiene resulted from a City Council action to redirect the money to the general fund. Mr. Fiene answered that the City Council made the decision to redirect the motor vehicle tax to the general fund, but the franchise fees have never gotten into the transportation fund. Staff has recommended that the franchise fees be placed in the transportation fund since the Olympic View Water and Sewer District is paying the fee so they can work within the City's rights-of-way. It seems logical that the money should be used to fix streets that are torn up as a result of the utility work.

- **Fund 113 (Multimodal Transportation)** – Mr. Fiene explained that this fund is related to the Edmonds Crossing Multimodal Transportation Project that would link several modes of transportation (bicycles, buses, trains, ferries, etc.) at one site.
- **Fund 116 (Building Maintenance)** – Mr. Fiene advised that this fund deals with maintenance of the buildings in the City's current inventory, including the senior center, City Hall, the Anderson Center, etc. Currently, this fund is financed by the general fund, which has been significantly impacted by recent initiatives. While sufficient funding is available through 2008, definite problems could arise beyond that date, and it is important to understand that deferring maintenance could lead to overall deterioration and damage to the City's buildings.
- **Fund 125 (Parks, Open Space, Recreation, Beautification) and Fund 132 (Parks Construction)** – Mr. Fiene explained that the money from these two funds is used for park beautification, streetscape, construction of trails, etc. Sample projects include the skate park that is nearing completion and ADA improvements.
- **Fund 126 (Special Capital/Purchases and Acquisition)** – Mr. Fiene advised that the money in this fund is used to purchase park properties, and waterfront acquisition is a City priority.
- **Fund 129 (SR-99 International District)** – Mr. Fiene advised that this is an economic development fund that was created solely for the International District Enhancement Project. He noted that the City recently received a grant for this project.
- **Fund 412:** Mr. Fiene reported that a rate study was completed in 2005, showing a minimal rate increase would be necessary, but the combined utility bills would be increased less than inflation over the next several years.
- **Fund 412-100:** Mr. Fiene advised that this fund would support projects identified in the 2002 Water Comprehensive Plan. The bulk of the money spent in this fund would be used to replace one percent of the City's current water lines per year. Waterline improvements are currently planned in the Perrinville and College Place areas in 2007 and 2008.

- **Fund 412-200:** Mr. Fiene advised that the projects in this fund are identified in the 2003 Stormwater Comprehensive Plan. Sample projects include the Northstream Project that is currently being designed by a consultant. In addition, the Southwest Edmonds area that was annexed in December of 2005 had no storm system whatsoever, and City staff is currently constructing and installing pipe to address this problem area.
- **Fund 412-300:** Mr. Fiene said the projects in this fund are identified in the 2006 Sanitary Sewer Comprehensive Plan. Sample projects include Lift Stations 7 and 8 and the 7th Avenue North Sewer Project.
- **Fund 414:** Mr. Fiene advised that this is the Wastewater Treatment Plant Fund. Sample projects include bar screen replacement, concrete repairs, and electrical improvements. He noted that the Edmonds Treatment Plant serves other jurisdictions, as well. Only about half of the drainage comes from properties within the City of Edmonds.

In summary, Mr. Fiene advised that the transportation capital funds are much improved, but staff does have concerns about the fuel tax revenue. Fund 116 indicates a heavy reliance on grants to meet the project needs, and the Public Works Director plans to draw more from the general fund if approved by the City Council. The other funds in the CIP appear to be meeting the minimum needs. He noted that a public hearing has been scheduled before the City Council on March 20th, and staff anticipates final adoption at that time.

Duane Farman indicated that he has lived just north of Seaview Park since June of 1970. He said he was present to speak to the Commission regarding the site distance project at 80th Avenue West, which is currently identified in the draft CIP as a 2013 project. He said he represents nearly 100 people from the Seaview Neighborhood who are very interested in the project, and 75 of them have signed the petition that was provided to each of the Board Members. He explained that the neighborhood group was originally organized to limit the impacts of the Anglers Crossing Planned Residential Development (PRD) that was proposed for their neighborhood. Now that the project has been approved by the City, the neighbors have turned their focus to resolving the traffic safety concern that currently exists on 80th Avenue West. He advised that, at this time, the City's Engineering Department is conducting a study of the hill in conjunction with the project developer, the McNaughton Group. Survey work is being done to determine how much grading would be required to improve the site distance at the top of the hill. The Engineering Department is also working to identify cost estimates.

Mr. Farman urged the Planning Board to move this project up in the CIP so that the improvements could be completed no later than 2009. By that time, the McNaughton Group would be ready to start grading and preparing their property for the new subdivision. Mr. Farman distributed a packet of information related to his presentation to each of the Board Members. He explained that because of the slope of the hill on 80th Avenue West, the site distance is extremely limited and the existing grade is over 12 percent. There are many blind spots on the hill, and several accidents have occurred in the recent past, mostly above the hill and one on the hill itself. He advised that accidents occur largely because residents cannot see what is on the other side and they get surprised by people coming up the hill. Mr. Farman provided photographs to further illustrate the neighborhood's concern about site distance on the hill. The pictures particularly illustrated the difficulty he and his neighbors have backing out of their driveways as a result of the poor site distance that currently exists. He noted that some property owners have to drive across neighboring properties in order to see what is coming up the hill.

Mr. Farman pointed out that besides being a safety hazard for vehicular traffic, the pedestrians who walk along 80th Avenue West are in danger, as well. He asked that the City consider constructing a sidewalk on 80th Avenue West to connect to the baseball field and Seaview Park. He recalled that the City recently reached an agreement with the McNaughton Group that would allow them to construct a sidewalk on the west side of 80th Avenue West in lieu of the sidewalk that would typically be required along the front of the PRD on the east side of 80th Avenue West. This change would end up saving the City money if they were to provide a sidewalk all along the street.

Mr. Farman referred the Board to a public utility department scale drawing of the hill on 80th Avenue West, which shows the existing grade. He noted that the hill is not level at the top. Instead, it comes up and then drops off sharply. The dashed lines on the drawing show the type of grading that would be necessary to improve the site distance situation. Mr. Farman suggested that the project would likely cost less than the \$150,000 identified in the CIP since there are no utility line within the roadway.

Mr. Farman said he understands the City's current difficulty in finding money to take care of all of the necessary projects. However, he noted that a condition of the PRD approval was that 10% of the property be set aside for open space. In order to meet this requirement, the McNaughton Group purchased 2/3 of an acre of property along 80th Avenue West from the City for \$220,000. Since the proposed PRD would increase the amount of traffic on 80th Avenue West, Mr. Farman said the neighborhood group requests that this money be earmarked for the site distance improvements. In addition, he noted that the developer would be required to pay impact fees of \$22,000, and this could be utilized for projects along 80th Avenue West, too.

Again, Mr. Farman requested the Board consider moving the 80th Avenue project up to 2008 or 2009 because the hill is already very unsafe, and he expects more accidents every two or three years. He said he would rather not experience another one. He reminded the Board that the McNaughton Group is currently doing survey work on the hill to determine the extent of grading that would be required to resolve the problem, and their work would reduce the overall cost of the project in the future. Mr. Farman advised that the McNaughton Group has indicated an interest in working with the City on an agreement that would allow them to construct a sidewalk on 80th Avenue West in lieu of a sidewalk on Olympic View Drive. He said he hopes the information he provided to the Board would be helpful to illustrate the need to do the project sooner than 2013.

Tony Shapiro said that while some believe the proposed location for the multimodal project would be a desirable solution, it might not be the best solution for the economic well being of the downtown. He recalled that rather than finding a way to draw the ferry traffic through the downtown, the City has historically turned its back on ferry traffic. The proposed relocation would not make this situation any better. In addition, he noted that funding for the project is quite far down on the State's priority list, particularly considering the other major transportation issues the State is faced with. He urged the Planning Board to consider other options that would look at replacing and/or enhancing the present ferry lanes rather than relocating them further to the south. If the ferry terminal and train station are relocated as proposed, there would be very little commuter traffic coming through downtown Edmonds.

Warren Henderson said he also lives in the Seaview Neighborhood and supports the comments provided by Mr. Farman regarding 80th Avenue West and moving the project up much earlier. He said the issue has become much more important to people in the neighborhood as a result of the City's recent approval for the new Anglers Crossing Project and the additional types of traffic that would be found on 80th Avenue West. He noted that not only would vehicular traffic be increased, but pedestrian traffic would also increase. He advised that even though sidewalks would be constructed on the hill, it would still be difficult for drivers to see the pedestrians. He urged the City to do everything possible to make the situation safe.

Mr. Henderson also pointed out the safety concerns that exist on 184th Street near Seaview Park. A crown exists on this hill, and it is difficult for cars going up and down the hill to see clearly. The result is that the people living in the area cannot see traffic coming up the hill when they back out of their driveways. He asked that the City take a careful look at 184th Street, as well as 80th Avenue West and make improvements so that vehicular and pedestrians traffic will be safer.

Board Member Henderson asked Mr. Fiene to provide more information about the 80th Avenue West Project. Mr. Fiene reminded the Board that the CIP is driven by the Comprehensive Plan, and the site distance problem on 80th Avenue West was not identified in the current Comprehensive Plan. While the walkway project on 80th Avenue West was included in the Comprehensive Plan, the priority was lower than other projects that were scheduled ahead of it. However, he emphasized that while the priorities were established through a public process, the City Council does have the ability to make changes as new situations arise. He said that even though there may be a past history of residents contacting the City regarding the site distance problems on 80th Avenue West, he just recently learned about the situation.

Board Member Henderson asked where the \$220,000 from the sale of City owned property would go. He expressed his opinion that the money should be used for projects in the Seaview Neighborhood. Mr. Chave recalled that some years ago, the City went through a process of reviewing their property holdings and trying to divest properties they were not intending to use. The goal was to obtain revenue for the general fund and the moneys were not tied to any particular project.

Board Member Young suggested it would be appropriate for the City Council to provide a policy and procedure for mitigating impacts, particularly since the City wants to encourage infill development as required by GMA. He recalled that

the City Council has recently denied applications because there was no mechanism to provide the infrastructure associated with making more intense use of a property. He said he plans to attend the City Council hearing on this issue and ask them to provide procedural and policy guidance.

Board Member Freeman asked regarding the City's policy for changing the priorities identified in the CIP. She recognized that if one project is moved up, other projects would have to be postponed. Mr. Fiene explained that the CIP is a long-range plan, and the City continually updates the document as priorities shift. The City Council could decide to move a project up based on new information that becomes available.

Board Member Freeman complimented Mr. Farman for doing a good job of presenting the facts associated with the situation on 80th Avenue West. She agreed that the City should look at the problem further in the near future.

Board Member Young noted that the City collects \$90,000 each year in traffic impact fees, but the CIP does not provide any explanation about where these funds are collected from. He suggested it would be helpful if the CIP were to provide a narrative explanation of the traffic impact fees. Mr. Fiene agreed that would be a worthwhile option to consider.

Again, Board Member Young said it would be helpful to have policy direction from the City Council about how additional infrastructure would be provided to meet the needs of more intensive land uses. While the CIP is not necessarily the place for this type of information, it is important for the public to know that the City has a policy for keeping traffic moving safely.

Board Member Reed asked if the sidewalk component of the CIP includes sidewalk improvements on 80th Avenue West. Mr. Fiene answered that the walkway project was included in the CIP for 2013. He expressed his belief that this sidewalk project would be a good link between South County Park, Seaview Park, and Olympic View Drive. However, only so much money is available for sidewalk improvements, and there are numerous higher priority projects ahead of it.

Board Member Freeman asked when the project description booklet would be available on line. Mr. Fiene answered that staff hopes to have this document available to the public by the end of March. He noted that the document would help the citizens understand what projects the City is doing and why.

Board Member Reed asked when the Anglers Crossing Project would be completed. Mr. Fiene advised that the project is still in the planning stages. Mr. Chave added that it could be quite a while before the project is completed. Mr. Fiene noted that site distance is a problem already, and the new project would only add six new homes. Board Member Reed asked if doing the roadway and development project together would result in a cost savings. Mr. Fiene answered no.

Board Member Young said he sees some very important improvements that need to be made in 2010 and most would be paid for by grant funding that has not yet been secured. He noted that there are two potential sources of grant funding, the State Pedestrian Safety Program and the Federal Intersection and Corridor Safety Improvement Program. Mr. Fiene described some of the grant funding that has already been secured by the City for transportation projects. He noted that the City's ability to provide more matching funding should make it easier for the City to obtain grants in the future. Board Member Young agreed but suggested staff point out to the City Council that grant money has already been spoken for through 2009, and a new transportation act would be adopted in 2010. Therefore, the funding situation beyond 2009 is not a given, but there are no other funding options noted for 2010 projects. Mr. Fiene advised that the City has a history of successfully obtaining grant funding. Board Member Young agreed that staff has done a good job of obtaining grant funding for City projects, but it is important to understand that grant funding is competitive.

Board Member Young referred to Fund 116 and noted that there is a heavy reliance on grants in the early years and most appear to be secured. However, in the later years there is more and more reliance on the general fund. He asked Mr. Miller to share his observation about how solid the City Council's commitment is to part with \$200,000 to \$250,000 per year from the general fund. Mr. Miller advised that this was identified in the CIP as a placeholder to let the City Council know there is a need for additional money from the general fund. He advised that, up to this point, the City has been fortunate to find other ways to pay for projects without a direct contribution from the general fund, but staff's research shows there would not be lot of grant opportunities available in the near future to address the project needs. Staff makes the City Council aware each year

that there is a forecast need for additional money in order to maintain the level of service in the City Buildings. He suggested it would be helpful for the Board to raise this issue, as well.

Board Member Reed asked if there were previous funding sources for building maintenance that no longer exist. Mr. Miller answered that in the past the City has used a community block grant to pay for projects at the senior center, but other buildings in the City do not qualify for this grant money. As a result of recent initiatives, Fund 116 monies were cut back with the hope the City would be able to find other funding sources.

Board Member Young asked if the City has a Plan B for the Edmonds Crossing Project if the necessary funding is not available for the preferred plan. Mr. Clifton explained that there are currently three options. If no funding is available, the option would be to do nothing and leave the terminal in its existing location. The other options are considered Phase I and Phase 2 of the preferred plan. Phase 1 would involve construction of ferry holding lanes in the new location, as well as a terminal parking lot and ferry pier. Phase 2 would add the multimodal terminal, etc. If only a portion of the project can be funded, they could move ahead with Phase 1 until the additional funds are available.

Regarding Mr. Shapiro's comments, Mr. Clifton noted that the project is a multi-entity effort to build a significant multimodal project for the area. The project partners include the Federal Transit Administration, the Federal Highway Administration, Washington State Department of Transportation, Washington State Ferries, and the City of Edmonds. The project is included in six transportation plans: the Vision 20/30 Plan, the 1995 Metropolitan Transportation Plan, the Snohomish County and Edmonds Transportation Plans, the Washington State Ferries System Plan, and the Port of Edmonds Strategic and Master Plans.

Regarding funding, Mr. Clifton shared that since he arrived at the City of Edmonds, he has worked to retain and secure \$12.3 million in Federal dollars that is available now and would be used for the next phase of the project, which is final design and development. In addition, he has worked with Washington State Ferries to solicit a consultant to help with the design and permitting phase. Washington State dollars were also used to provide the match for Federal dollars. Mr. Clifton said he has made a number of presentations over the last few years to Washington State Representatives and Senators. As a result, they have appropriated \$58.2 million through 2017 for the Edmonds Crossing Project. For the past three to four years, he has worked with RTID and Sound Transit to position the project to receive \$126 million in RTID funding and \$30 million in Sound Transit funding if the voters approve the combined road and transit project this fall. If these funds are obtained, the project would be fully funded.

Mr. Clifton advised that Washington State Ferries plans to construct the new project beginning in 2012 through 2017. The City Council has indicated their support for the Edmonds Crossing Project on a number of occasions. In addition, the Port of Edmonds, the Lynnwood City Council and the Town of Woodway Town Council have all passed resolutions in support of the project. He said he would continue to work with Washington State Ferries to be good stewards of the citizen dollars and bring the costs of the project down as much as possible.

THE PUBLIC PORTION OF THE HEARING WAS CLOSED.

BOARD MEMBER FREEMAN MOVED THAT THE BOARD FORWARD THE DRAFT CIP UPDATE FOR 2008 – 2013 (FILE NUMBER AMD-07-3) TO THE CITY COUNCIL WITH A RECOMMENDATION OF APPROVAL. BOARD MEMBER YOUNG SECONDED THE MOTION.

Board Member Reed recalled that the Board previously expressed a desire that the City Council consider Mr. Farman's request related to 80th Avenue West. He suggested, and the remainder of the Board concurred, that staff should provide additional information regarding this project for the City Council to consider at their public hearing.

THE MOTION CARRIED UNANIMOUSLY.

PUBLIC HEARING ON AN APPLICATION BY TONY SHAPIRO TO REZONE PROPERTIES FROM MULTI-FAMILY RESIDENTIAL (RM-1.5) TO MULTI-FAMILY/EDMONDS WAY (RM-EW) AND FROM

APPROVED

COMMUNITY BUSINESS (BC) TO COMMUNITY BUSINESS/EDMONDS WAY (BC-EW) (FILE NUMBER R-06-95)

THE BOARD TOOK A BREAK FROM 9:00 P.M. TO 9:12 P.M. TO REVIEW THE NEW WRITTEN COMMENTS THAT WERE RECEIVED REGARDING THE PROPOSED REZONE APPLICATION.

Chair Guenther reviewed the Appearance of Fairness Rules and inquired if any of the Board Members participated in any ex parte conversations regarding the topic of the hearing. Board Member Freeman disclosed that after the last public hearing on the proposed rezone application, Mr. Shapiro phoned her and requested her help when presenting the application to the City Council for review. She said she declined to assist the applicant and did not contact the City Council in any way regarding the matter. None of the other Board Members disclosed potential conflicts with the Appearance of Fairness Laws. No one in the audience challenged the participation of any Board Member, either.

Mr. Chave presented the staff report for File Number R-06-95 and noted that the applicant chose to wait until the new zones that applied to the Edmonds Way Corridor were established before submitting an application to rezone the subject properties. He advised that two new zones (BC-EW and RM-EW) have been identified in the Code as potentially applicable to properties along the Edmonds Way Corridor, which is where the subject property is located.

Mr. Chave advised that, currently, the properties are zoned RM-1.5 and BC. However, the applicant believes the proposed new zones would do a better job of implementing the Edmonds Way Corridor Comprehensive Plan than the existing zoning. The Staff Report and the materials submitted by the applicant provide a detailed analysis of how the proposed RM-EW zone would meet the rezone criteria. However, because the staff report did not adequately address the rezone criteria as it relates to the BC-EW zoning proposal he offered the following analysis:

- **Whether the proposal is consistent with the Comprehensive Plan.** Mr. Chave pointed out that the Comprehensive Plan does say the Edmonds Way Corridor is appropriate for a variety of zones. He noted that elsewhere along the corridor there are other commercial zones similarly situated at intersections, and the subject property is already zoned for this type of use. The proposed change would further implement the Comprehensive Plan.
- **Whether the proposal is consistent with the purposes of the Zoning Ordinance and the proposed zone district.** Since the BC-EW zone was specifically created for the corridor, it should be appropriate for this location.
- **The relationship of the propose zoning change to the existing land uses and zoning of surrounding or nearby properties.** The surrounding area includes a mixture of multi-family zones. The BC-EW would be a variant of the existing BC zoning and would be a logical zoning designation for the subject property. Since it was created for the Edmonds Way Corridor, it would make sense to apply it to the subject properties. However, further down the line, the City would have to review the project specific site design and consider the multiple ways to address the impacts. He noted that a SEPA determination was issued for the rezone, but it only dealt with the proposal as a non-project specific action. Additional SEPA and Architectural Design Board review would still be required for any site-specific development proposal that is submitted for the subject property.
- **Whether there has been sufficient change in the character of the immediate or surrounding area or in City policy to justify the rezone.** Mr. Chave said one significant change is the creation of two new zones that apply to the Edmonds Way Corridor, which were not available at the time the property was previously changed to BC zoning. There has also been additional development along the corridor and changes in zoning to implement the City's Comprehensive Plan. It appears the rezone request would fit in with these changes.
- **Whether the property is economically and physically suitable for the uses allowed under the existing and proposed zoning.** Mr. Chave explained that the BC-EW zone was partially created to deal with unique properties that have changes in grade, etc. Some of the provisions in this zone have to do with increasing setbacks and improving buffers, which seems appropriate for this location.

APPROVED

- **The relative gain to the public health, safety and welfare compared to the potential increase or decrease in value to the property owners.** Mr. Chave suggested that the proposal's value to the community lies in going back to the Comprehensive Plan direction for the Edmonds Way Corridor, which is to focus more intense development along the corridor rather than in the residential neighborhoods. One key in the City's approach is to put multi-family development and more intense commercial development in areas that have strong arterial and transit connections. Over the last 10 years since the first Comprehensive Plan was adopted, one of the hallmarks has been that they didn't want to change the single-family neighborhoods into more intense uses. This requires the maximum use of areas that are served by adequate roads, services, etc. That is why the Edmonds Way Corridor and Highway 99 have been considered for the more intense development. Mr. Chave advised that another goal of the Comprehensive Plan is to use design review to make sure there is adequate buffering, landscaping, etc., and the BC-EW zone would help accomplish this goal by providing minimal buffering and landscaping that the regular BC zone would not provide. In further SEPA review and design review of a site-specific project proposal, the staff would look at how the transition from the project site to the single-family neighborhood would be accomplished. However, this cannot be determined as part of the rezone action.

Board Member Reed asked where the Edmonds Way Corridor starts and stops for purposes of applying the two new zoning designations. Mr. Chave answered that the Edmonds Way Corridor starts just east of the Westgate Center and extends up to where Edmonds Way meets with Highway 99.

Tony Shapiro, A.D. Shapiro Architects, advised that he was present to represent the owners of the subject properties. He briefly reviewed that in 2001 or 2002 the Planning Board created the Edmonds Way Corridor in the Comprehensive Plan, and in 2003 he began discussions with the Planning Department staff about applying the new designation to properties on Edmonds Way, including the subject properties. He submitted an application for a Comprehensive Plan land use designation change for the subject properties. Later, at the request of staff, they agreed to include the majority of the properties on Edmonds Way as part of the application for a Comprehensive Plan change. The Comprehensive Plan amendment was reviewed by the Board in 2004 and adopted by the City Council in January of 2005. While a number of surrounding property owners have suggested that the current proposal is a rush project, it is important to note that they have been working on the changes for a number of years.

Mr. Shapiro advised that in 2005 he started discussions with the staff regarding the subject properties and an application was made to rezone the parcels. In the spring of 2006, the applicant started conducting neighborhood meetings using a mailing list of properties within 500 feet of the subject property even though the City only required them to notify property owners within 200 feet. He summarized that they actually contacted four times more property owners than required by the City in an effort to work with the neighbors. He reviewed the location and dates for the numerous neighborhood meetings that were conducted to discuss the project and address the neighbors' concerns.

Regarding the issue of spot zoning, Mr. Shapiro noted that the City created the Edmonds Way Comprehensive Plan through a public process that involved the community, staff, Planning Board and City Council. However, they did not develop a new zone to apply to the corridor until much later. He suggested that there would be no point in having the Edmonds Way Corridor Comprehensive Plan designation if there were no new zoning opportunities.

Mr. Shapiro provided context photographs of the subject property and surrounding properties. He also provided pictures of other multi-family projects located along the corridor that were not out of context with what the applicant is planning to do on the subject property. He noted that the BC portion of the subject property is characterized by significant grade changes (about 20 feet). The RM portion of the subject property also has a slope of approximately 10 feet.

Mr. Shapiro briefly reviewed the characteristics of the new BC-EW and RM-EW zoning designations, which were intended to provide more opportunities to apply sustainable design concepts. He expressed his hope that the new zoning designations would be improved upon as new ideas come forward. He emphasized there is no truth to criticism that the new zones were created to address the concerns of one property owner.

Mr. Shapiro reviewed the following Comprehensive Plan Goals for the Edmonds Way Corridor and described how the proposed application would address each one:

- **The more intensive development that occurs along the corridor should not interfere with the flow of through traffic or intrude into adjoining established communities.** He noted that preliminary staff review and traffic studies indicate that the traffic would not be significantly impacted by the proposed rezone, nor would there be a significant impact to adjoining properties.
- **Permit uses in planned multi-family or small-scale business developments that are designed to minimize contributing significantly to the traffic congestion.** Mr. Shapiro noted that setback requirements of the new zones would ensure pedestrian safe street areas. The project, as currently planned, would reduce the curb cuts along Edmonds Way from five to two. Access from 232nd Street would only be utilized for the residential units.
- **Provide for transit and pedestrian access to development.** Again, Mr. Shapiro noted that the new zone setbacks would ensure pedestrian safe street areas, and transit would not be impacted by the rezone. The applicant plans to provide direct access to the town homes and to the mixed-use buildings. By providing only two curb cuts along Edmonds Way, potential conflicts between pedestrian and vehicular traffic would be minimized. In addition, Mr. Shapiro explained that the permitted uses in the proposed BC-EW zone would be consistent with the housing and small-scale business developments already along Edmonds Way. It would also be consistent with the Comprehensive Plan goals.
- **Use design review to encourage the shared or joint use of driveways and access points by development onto SR-104 in order to support the movement of traffic in a safe and efficient manner. Site access should not be provided from residential streets unless there is no feasible alternative.** Mr. Shapiro advised that the applicant is hoping to construct more than 60 units on the subject property: 40 apartments and 20 condominiums. The idea that accessing the residential portion of the project from 232nd Street would be a misuse of the residential street is an extreme suggestion since there is already office space across the street. The proposal would only bring in residential traffic on 232nd Street, and this traffic would coexist nicely with the adjacent properties, as well as the neighbors living further down the street.
- **Use design review to ensure that development provides a transition to adjacent residential neighborhoods. For uses in transitional areas adjacent to single-family neighborhoods, use design techniques such as the modulation of facades, pitched roofs, stepped-down building heights, multiple buildings, and landscaping to provide designs compatible with single-family development. Make use of natural topography to buffer incompatible development whenever possible.** Mr. Shapiro pointed out that the applicant's proposal would configure the buildings in such a way that they would only have a two-story presence on the side facing the residential neighborhood to the west. The proposal would place the large scale buildings towards the busy arterial.

Next, Mr. Shapiro explained how the proposed application would meet the rezone criteria as follows:

Proposed RM-EW Rezone

- **Whether the proposal is consistent with the purposes of the Zoning Ordinance and the proposed zone district.** Mr. Shapiro pointed out that the RM-EW zone shares the purpose of the RM-1.5 zone, to provide a variety of housing types and a range of greater densities to meet the needs of a broader range of Edmonds residents. In addition, the RM-EW zone encourages environmentally friendly features and helps ensure quality design features. The new zone strongly encourages extensive sustainable design and utilization of green technologies as well as supporting pedestrian friendly, neighborhood complimentary design such as front doors facing the street and below building parking.
- **The relationship of the propose zoning change to the existing land uses and zoning of surrounding or nearby properties.** Mr. Shapiro pointed out that rezoning the site to RM-EW would enhance surrounding properties by allowing substandard homes to be replaced with new town homes. Since much of Edmonds Way already contains multi-family housing, the 232nd Street town homes would fit well along Edmonds Way. The grade change would help minimize any impact of the town homes on adjacent single-family zones.
- **Whether there has been sufficient change in the character of the immediate or surrounding area or in City policy to justify the rezone.** Mr. Shapiro reminded the Board that the Edmonds Way Corridor is designated in the Comprehensive Pan as an area for renewal, replacing failing single-family homes with new multi-family homes.

- **Whether the property is economically and physically suitable for the uses allowed under the existing and proposed zoning.** Mr. Shapiro advised that the proposed RM-EW designation simply allows the town home style buildings along Edmonds Way to be as tall as they would be able to be built if a single-box apartment building was built tucked into the hillside. It also requires that parking be placed below the building and out of site from the street. The result is a more attractive, multi-building design instead of a massive single apartment block style design as encouraged by the current RM-1.5 zone. Mr. Shapiro reminded the Board of the significant grade change that exists along Edmonds Way, which would provide further protection for the residential properties on the hillside above. He also pointed out that most of the properties are narrow, making it difficult to construct large multi-family units.
- **The relative gain to the public health, safety and welfare compared to the potential increase or decrease in value to the property owners.** Mr. Shapiro suggested that the rezone would allow new homes to replace the current homes that are past their useful life, providing homes for more Edmonds citizens and neighbors. Additionally, the RM-EW zone would encourage environmental features benefiting the surrounding area. He summarized that the rezone would allow the applicant to construct about 20 to 25 town homes for the community, helping Edmonds comply with GMA mandates and Vision 2020 goals for housing with good accessibility to transit.

Proposed BC-EW Rezone

- **Whether the proposal is consistent with the purposes of the Zoning Ordinance and the proposed zone district.** Mr. Shapiro explained that as buildable land in Edmonds decreases, mixed-use developments would provide solutions for meeting the need for more housing alternatives, as well as meeting the GMA obligations. The BC-EW zone would require commercial uses on the ground floor with commercial fronting on the street, which would move away from the “strip mall” solution for land use. He further explained that the BC-EW zone is adopted from the BN designation and approved by the City Council to better meet the Comprehensive Plan goals for the Edmonds Way Corridor while distinguishing it from the downtown district zoning. The BC-EW designation would be compatible with the character of Edmonds Way, maintaining neighborhood-oriented design sensitivity in context with the fact that Edmonds Way is a key transportation corridor.
- **The relationship of the propose zoning change to the existing land uses and zoning of surrounding or nearby properties.** Mr. Shapiro pointed out that the proposed rezone would likely improve the acoustical nature of the residential neighborhoods. Siting a mixed-use building along the corridor would help buffer the noise from Edmonds Way to the residential properties to the west. He noted that the BC-EW zone supports mixed-use developments on the ground floor, consistent with the activity and traffic flow of Edmonds Way. The upper levels require housing elements transitioning to the immediate neighborhood above the new homes.
- **Whether there has been sufficient change in the character of the immediate or surrounding area or in City policy to justify the rezone.** Mr. Shapiro explained that the City Council’s decision to create new zones specifically in response to meeting the policy goals for Edmonds Way relates to the need for housing diversity and business space creation in this subarea in manners not provided for in the previously existing zones. In addition, the BC-EW zone provides language that would require the upper floors to be set back further from the street, and this should help reduce the massing of the building against the street.
- **Whether the property is economically and physically suitable for the uses allowed under the existing and proposed zoning.** Mr. Shapiro pointed out that allowance of a mixed-use development on the corner of 232nd Street would provide a desirable transition from busy Edmonds Way to the quieter residential neighborhood to the west. He recalled that criticism has been raised regarding the solution the applicant previously presented to use 232nd Street to access the parking deck. One neighbor even suggested the applicant put the ramp inside the building. Because the subject property would front on 232nd Street, they believe it would be appropriate to use that street to access the residential portion of the mixed-use building. He reminded the Board of the consultant’s conclusion that there would be minimal impact to 232nd Street as a result of the proposed rezone.

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- **The relative gain to the public health, safety and welfare compared to the potential increase or decrease in value to the property owners.** Mr. Shapiro suggested that a quality mixed-use project on the subject property would dramatically improve the appearance of this section of Edmonds Way, bringing retail space and homes for a range of commercial and housing needs to the vicinity. At the same time, having four-story buildings on Edmonds Way would not be incompatible with the 20,000 cars that use the corridor every day. The setback and massing requirements in the zoning criteria would help minimize the visual impact of the building from Edmonds Way.

Edward Koltonowski, Gibson Traffic Consultants, advised that he has been a traffic engineering for the past 15 years. He briefly reviewed his credentials, and indicated that he was hired by the applicant to study the traffic situation in the area surrounding the subject properties. He pointed out that he has probably attended more neighborhood meetings related to the subject proposal than in the rest of his 15 years experience combined. He noted that much of the discussion at the neighborhood meetings was focused on traffic. As a result of these concerns, he was asked to study the project and its impact, looking at the proposal as project specific as possible in order to identify the most intense uses possible on the property. Using the City's current standards, which are nationally recognized, they were able to identify the average trip generation counts per day.

Mr. Koltonowski referred the Board to the traffic study that was prepared for the City. He said the City's Traffic Engineer reviewed the study and primarily concurs with the results. He summarized the following points from the study:

- The level of service at the intersection of 232nd Street and Edmonds Way would not be significantly impacted if the applicant were to provide access to the residential units from 232nd Street.
- While traffic would be increased on 232nd Street as the result of new development on the site, the change would be relatively low: an 8% increase to the west and a 12% increase to the east. This would result in about 9 peak hour trips per day going west (about six vehicles per hour) and 16 to 17 peak hour trips per day going east (one every two to three minutes).
- There are currently over 2,000 trips per hour on SR-104, and 20,000 trips per day. During the busiest part of the day, the additional traffic resulting from the proposed project would probably not even be noticeable on SR-104.
- The current width at the eastbound approach to the intersection of SR-104 and 232nd Street is about 16 feet, which is just enough space for a vehicle to squeeze around to make a right hand turn. If drivers making left hand turn at this intersection are courteous, they could pull to the center strip to allow enough room for a driver to make a right hand turn. However, if the approach were widened to 20 feet, there would clearly be enough space to accommodate both left and right hand turns. This would take left turning vehicles out of the traffic flow and improve the delay on the eastbound approach. Not only would this mitigate additional traffic from the subject properties, but it would mitigate future growth that would likely occur in the surrounding area.
- If the eastbound approach were widened as described earlier, the traffic impact on 232nd Street from the proposed rezone would be negated.
- While the City's Traffic Engineer as recommended a 75-foot queue length at the intersection of 232nd Street and SR-104, the traffic analysis indicates that a 50-foot queue length would be adequate. He concluded that the Traffic Engineer's recommendation must be based on fact, and the fact is that the most intense development that could occur on the site as a result of the proposed rezone would not require more than 50 feet of channelization at this approach.

Jim Abbot, Shoreline, indicated that he is one of the owners of the subject parcels. He said he has owned commercial property in Edmonds since 1986. He reiterated that they conducted eight neighborhood meetings, and the main issues of concern were related to traffic on 232nd Street and the massing and size of the proposed buildings. He expressed his belief that the proposed zones would be appropriate for the subject parcels given their location on Edmonds Way and their steep topography.

Mr. Chave noted that the Edmonds Way Corridor designation was actually established in the Comprehensive Plan in the mid 1990's, and was extended into the Westgate area in 2002. Board Member Young asked when the subject parcels were annexed into Edmonds. Mr. Chave answered that he does not have this information available, but the properties closer to Westgate have been part of the City for a long time. However, some of the areas further to the east were annexed into the City in the early 1990's. Board Member Young noted that the infrastructure has not been brought up to City code in these areas.

Board Member Young referred to written comments received from Gary Gibson suggesting that the new zones were created without the benefit of a Comprehensive Plan review. Mr. Chave explained that the new zones were intended to implement changes to the Comprehensive Plan, so a review of the Comprehensive Plan was absolutely critical to establishing the new zones. Board Member Young pointed out that Mr. Gibson's letter also reminds the Board that the Comprehensive Plan specifically dictates that that City must reserve areas for retail service establishments that offer goods and services needed on an everyday basis by residents of the neighborhood. Mr. Gibson pointed out that the applicant has previously stated that due to the loss of rentable space that would result from the parking requirements involved in housing businesses as described above, the businesses that occupy the new space would not likely be the type to serve residents of the neighborhood. He asked Mr. Shapiro to respond to this concern.

Mr. Shapiro explained that it would be nearly impossible, at this point in the juncture, for the applicant to specify exactly what type of business uses would utilize the ground floor space of the mixed-use building. In most cases, tenants are not identified until the buildings are under construction or are nearly completed. However, the idea that the future tenants in the new development would not serve the neighborhood is a misunderstanding of the situation. He suggested that even uses such as professional offices, real estate brokers, insurance agents, etc. would serve the surrounding community.

Board Member Reed inquired if the BC-EW zone identifies a minimum first floor ceiling height requirement. Mr. Chave answered no. Board Member Reed said he visited the subject site a few days ago, and he agreed that it is very difficult to turn left from 232nd Street onto Edmonds Way. He expressed his concern that a mixed use development on the property proposed for the new BC-EW zone could make the problem worse. Since no setback would be required, it could be difficult to see on-coming traffic. Mr. Chave clarified that the setback requirement for the first and second floors in a BC-EW zone is actually four feet. The third and fourth stories must be set back even further.

Board Member Reed asked how many residential units would have access from 232nd Street. Mr. Shapiro answered that there would be 40 to 46 parking stalls on that level to serve approximately 20 units. He said the applicant would make sure the transition ramp would provide the necessary site distance to meet City requirements.

Board Member Freeman thanked Mr. Shapiro for providing a LIDAR topographical map as part of the application packet. She concluded that this type of information was very helpful to her.

BOARD MEMBER HENDERSON MOVED THAT THE BOARD FORWARD FILE NUMBER R-2006-95 TO THE CITY COUNCIL WITH A RECOMMENDATION FOR APPROVAL BASED ON THE FINDINGS IN THE STAFF REPORT AND THE COMMENTS PROVIDED BY THE APPLICANT REGARDING THE SIX REZONE CRITERIA. BOARD MEMBER FREEMAN SECONDED THE MOTION.

Upon recommendation by Board Member Freeman, Chair Guenther provided the following observations about how the rezone application would meet each of the rezone criteria:

- **Whether the proposal is consistent with the Comprehensive Plan.** Chair Guenther noted that consistency with the Comprehensive Plan was illustrated clearly in the back up materials that were provided by the staff. He specifically noted that the two new zones were created to implement the Comprehensive Plan. Therefore, the proposal would be consistent with the Comprehensive Plan.
- **Whether the proposal is consistent with the purposes of the Zoning Ordinance and the proposed zone district.** Chair Guenther reminded the Board that the BC-EW and RM-EW zones were created to be applied to properties along the Edmonds Way Corridor. Therefore, the rezone proposal would be consistent with the zoning ordinance.
- **The relationship of the propose zoning change to the existing land uses and zoning of surrounding or nearby properties.** Chair Guenther referred to the topographical map, which demonstrates the significant change in topography on the subject properties. This steep slope would help separate the uses adjacent to Edmonds Way from the single-family residential uses at the top of the bank. He pointed out that the uses that would be allowed under the proposed BC-EW and

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RM-EW zones would be compatible with the other uses that exist along Edmonds Way and in the vicinity surrounding the subject property.

- **Whether there has been sufficient change in the character of the immediate or surrounding area or in City policy to justify the rezone.** Chair Guenther reminded the Board that the City must meet certain GMA requirements, including accommodation of additional population densities. The proposed rezone would allow additional uses to accommodate the population increases that are anticipated to occur.
- **Whether the property is economically and physically suitable for the uses allowed under the existing and proposed zoning.** Chair Guenther said the site appears to be suitable for the proposed zoning and would be fairly indistinguishable from the adjacent multi-family zoning along Edmonds Way.
- **The relative gain to the public health, safety and welfare compared to the potential increase or decrease in value to the property owners.** Chair Guenther pointed out that the site is currently occupied by substandard housing, and new development would increase the property's value to the public both economically and aesthetically.

Board Member Freeman said she agrees with the staff's recommendation to approve the rezone application, as well as the points made in the staff report. In addition, the applicant has demonstrated that the proposal meets the six rezone criteria. Therefore, she said she plans to vote in favor of the motion.

Board Member Reed referred to the bottom of Page 7 of the staff Report, which identifies additional requirements recommended by the City's Traffic Engineer. Mr. Chave explained that the mitigation fee and conditions of mitigation are not pertinent to the rezone application, but are worth noting in that they give a feeling for how traffic impacts could be address in the future. However, traffic issues would be addressed at the actual project approval stage as part of the SEPA and Architectural Design Board review.

THE MOTION CARRIED 5-1, WITH BOARD MEMBER YOUNG VOTING IN OPPOSITION.

Board Member Young explained that, while he likes the concept that was presented by the applicant, he is not convinced it would not be a type of "spot zoning." In addition, he is concerned that the City does not have a mechanism in place to take care of the impacts that would result from this change in the neighborhood. If he had answers to those two concerns, he said he would likely support the proposal. However, without addressing these two problems, he is hesitant to agree that the proposal is consistent with the Comprehensive Plan. He urged the Board to keep this issue in front of the City Council until it has been resolved.

REVIEW OF EXTENDED AGENDA

The Board did not review the extended agenda.

PLANNING BOARD CHAIR COMMENTS

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

PLANNING BOARD MEMBER COMMENTS

None of the Board Member provided additional comments.

ADJOURNMENT

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The meeting was adjourned at 10:38 p.m.

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