

APPROVED JANUARY 14, 2009

**CITY OF EDMONDS
PLANNING BOARD MINUTES**

December 10, 2008

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

BOARD MEMBERS PRESENT

Cary Guenther, Chair
Michael Bowman, Vice Chair
John Dewhirst
Judith Works
Jim Young
Don Henderson
Philip Lovell

STAFF PRESENT

Gary Haakenson, Mayor
Rob Chave, Planning Division Manager
Duane Bowman, Development Services Director
Karin Noyes, Recorder

BOARD MEMBERS ABSENT

John Reed (Excused)

READING/APPROVAL OF MINUTES

BOARD MEMBER WORKS MOVED THAT THE MINUTES OF NOVEMBER 12, 2008 BE APPROVED AS CORRECTED. VICE CHAIR BOWMAN SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

ANNOUNCEMENT OF AGENDA

No changes were made to the agenda.

AUDIENCE COMMENTS

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

PRESENTATION BY MAYOR HAAKENSON FOR OUTGOING PLANNING BOARD MEMBERES

Mayor Haakenson said this is his favorite time of the year because he gets to speak to all of the City's Boards and Commissions and thank those who are retiring. He commended the Board Members for their selfless service to the community. He recognized that they work on hard to make recommendations to the City Council, and the citizens of Edmonds appreciate their work. He presented plaques to Board Member Dewhirst and Board Member Henderson in recognition of their years of service on the Board and thanked them for serving their community.

PUBLIC HEARING ON DRAFT ATTACHED ACCESSORY BUILDING CODE AMENDMENTS

Mr. Bowman explained that the current proposal includes three code amendments: changing the definition for accessory buildings, modifying the definition of height, and changing the developments standards to clearly regulate attached accessory buildings in single-family zones. He briefly reviewed each of the proposed amendments in Sections 21, 05.010, 21.40.030.C and 16.20.050B. He summarized that the amendments would allow accessory buildings that are connected by a structure with a roof and constructed of similar materials to the main building so that it appears to be a unified and consistently designed building combination and is not greater than 10 feet in length to be included in the height calculation for the house.

Board Member Lovell pointed out that no language was provided in Section 21.40.030.D.1. Mr. Bowman agreed to correct this error. Chair Guenther pointed out that all of the proposed new language is identified in the draft document in underline format.

No one in the audience expressed a desire to participate in the public hearing, and the hearing was closed.

Board Member Dewhirst asked if the proposed amendments would only apply to properties in single-family zones. Mr. Bowman answered affirmatively. Board Member Dewhirst asked if there would be a maximum size limit for attached garages. Mr. Bowman answered that there are no specific standards to regulate the size of an attached garage, but they would have to meet all of the lot coverage and setback requirements.

BOARD MEMBER WORKS MOVED THAT THE BOARD FORWARD THE DRAFT ACCESSORY BUILDING CODE AMENDMENTS (FILE NUMBER AI-1863) TO THE CITY COUNCIL WITH A RECOMMENDATION OF APPROVAL AS PROPOSED. BOARD MEMBER YOUNG SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

Board Member Young asked how much of an issue the current accessory building code has been over the past few years. Mr. Bowman answered that staff recently dealt with a fairly contentious case when a neighbor opposed a building permit application for an accessory structure because it was being attached to the house by a breezeway. Over the last two years, staff has also dealt with other problematic applications, particularly when an applicant wants to attach a garage in order to obtain a greater height limit for the accessory structure.

UPDATE ON FIRDALE VILLAGE CODE PROPOSAL BY A.D. SHAPIRO ARCHITECTS

Tony Shapiro, A.D. Shapiro Architects, handed out updated drafts of his proposal. He explained that he has been working with the property owners to develop a proposal that would create a new zoning classification and design standards for the Firdale Neighborhood Commercial Area. He advised that the purpose of the proposal is to create a vibrant neighborhood village form of development that strikes a balance between commercial, retail and residential uses and contributes to the vitality of the neighborhood and area. He said the project is intended to support a variety of commercial and retail uses along with multi-family residential in an environment that is accessible to the pedestrian, visitor, tenant, motorist, and public transit user. As proposed, the development would be no more than four stories in height, and design would focus on breaking up the mass and features of the building by using setbacks, etc. The mixture of uses would include no less than 25% commercial space.

Mr. Shapiro advised that the property owners intend to work together to sell the property to a developer or take part in another ownership group. The purpose of the draft language is to define how the urban village concept could be built out using the zoning and design standards. He emphasized that goal is to maintain flexibility so the ultimate developer would be able to respond to fluctuating market conditions. He said the current property owners have chosen to go through the rezone process rather than a binding site plan process or other scenario that would define the property in a more definitive fashion.

Mr. Shapiro referred to the draft zoning standards and explained that District 1 is located at the center of the site and up against Firdale Avenue. District 2 would be the u-shaped property around the perimeter of the site. District 1 would be designated for commercial development, and District 2 would be reserved for a mixture of commercial and residential uses.

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However, he emphasized that the proposed language would maintain some ability for residential development in District 1, as well.

Mr. Shapiro explained that the intent of the proposed height requirement is to bring as much light into the space as possible. District 1 (Commercial) would have a lower height component and the goal would be to maximize the sunlight going to the center of the site. He reminded the Board that Firdale Village is located in a bowl, surrounded by a ridge of fir trees. Light is scarce on the subject property, and that is another reason to place the residential units on the perimeter of the property. Residential uses would also be more compatible with the surrounding residential properties to the north and east.

Board Member Works pointed out that the original draft that was provided to the Board prior to the meeting indicates that drive-in businesses would be allowed in District 1 with a conditional use permit. However, the newer draft that was just distributed by Mr. Shapiro indicates that drive-in businesses would be prohibited in both District 1 and District 2. Mr. Shapiro answered that drive-in businesses would not be permitted in either of the districts.

Board Member Lovell recalled Mr. Shapiro's earlier comment about the need to provide flexibility for a future developer to address the changing market demands. He pointed out that the updated matrix would allow some residential uses in the commercial district (District 1). He asked for clarification about what the height limit along Firdale Avenue would be if residential uses were allowed on top of the commercial uses. Mr. Shapiro answered that, elsewhere in the draft language, the criteria would limit development in District 1 to three stories. That means that two stories of residential development could be constructed on top of the ground floor commercial space. The maximum height allowed in District 1 would be limited to 39 feet, which would equate to three stories. Mr. Chave clarified that the proposed intent for District 1 would be to require commercial uses on the ground floor, and the previous draft specifically restricted District 1 to commercial uses only. Mr. Shapiro emphasized that the intent of the new language is to allow multi-family residential development to coexist above commercial property, and they do not believe this would be a detriment to the project or to the surrounding properties. Board Member Lovell summarized that, as per the matrix, two stories of multi-family residential or adult senior housing could be built above the ground floor commercial space.

Board Member Dewhirst questioned why the proposed language would prohibit bank uses. He noted that the current trend is to have small banks as part of other uses. Mr. Shapiro answered that, typically, banks want drive-through capability, so they are not interested in this type of urban setting. However, he agreed that banks should not be a prohibited use. Mr. Chave clarified that banks would be considered a service business, which is on the list of allowed uses.

Board Member Dewhirst pointed out that State Law does not allow the City to exclude churches from any zone. Mr. Shapiro agreed and pointed out that the language states that church uses would be subject to the requirements of Chapter 17. Therefore, they should be identified on the matrix as allowed uses.

Chair Guenther expressed concern that, as written, a one-story commercial building would be required to have a floor-to-floor building height of 20 feet, which might be too excessive. Mr. Shapiro replied that a 20-foot building height is not uncommon for one-story commercial development. The goal is to develop buildings with enough mass to establish their presence in the area.

Mr. Shapiro said that if the property is developed with apartments around the perimeter and commercial in the center, he would like to see commercial on the ground floor with office above in District 1, and the proposed language would not preclude this type of arrangement. However, it would also allow flexibility for a developer to construct residential uses on the top two stories if that is what the market demands.

Board Member Lovell expressed concern that the proposed language would allow development of up to 39 feet in height right up against the sidewalk and street. He questioned how well this concept would be accepted by the adjacent property owners. Mr. Shapiro suggested the language be updated to indicate that only a certain percentage of District 1 could be built to a maximum of 39 feet in height. The upper floors could be required to step back from the street. He expressed his belief that a building height of 39 feet would be appropriate for the remainder of the District 1 property since the project would open onto a courtyard or open space.

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Board Member Works asked if the property owners' proposed plans were presented at the neighborhood meetings. Mr. Shapiro answered that massing plans were shown at the two neighborhood meetings, but the meetings were not well attended. He said he also talked about possible configurations for future development, particularly the massing against the street in order to create interest by bringing the retail uses out against the sidewalk.

Board Member Lovell pointed out that the proposed table in Section 16.100.040 states that one parking space would be required for each residential unit, plus shared parking with the commercial space. However, the new draft language indicates that 1.5 parking spaces per unit would be required, plus one additional space for every ten units for guest parking. Mr. Shapiro clarified that the intent is that 1.5 parking spaces would be required for each residential unit, plus one additional parking space for every 10 units for guest parking. He pointed out that they do not know how the property would be redeveloped at this time so it is important to allow flexibility. Using the shared parking component, it is their hope that a future developer would set aside one parking space per unit in a secure area that is not accessible to the commercial users. At the same time, it is important to provide as much flexibility as possible to the parking standards to enable commercial activities to use at least a portion of the residential parking spaces during the daytime hours. This would allow them to reduce the amount of parking that has to be provided as part of a project. At the same time, he cautioned that it is important to ensure the users that there is sufficient parking to meet their needs.

Mr. Chave explained that Mr. Shapiro's goal is to identify a flat parking requirement of one stall for every 400 square feet of commercial space and 1.5 stalls for every residential unit. A certain portion of this required parking could be shared between the two uses. He suggested the language be clarified to indicate that up to 1/2 parking space per unit could be in a shared parking arrangement with the office and commercial uses. This would allow a future developer to capitalize on the shared parking concept. The same type of language could be applied to the commercial standards. A minimum standard could be identified, but the language could allow some of the required space to be provided in shared parking.

Mr. Shapiro emphasized that parking spaces are extremely expensive, particularly if they are located below ground. Therefore, it is important to retain the option of sharing the parking to meet at least a portion of the parking requirement. Allowing flexibility in how the parking is utilized could make a project much more viable. He cautioned that it is important to have enough parking space to meet the demand, and he anticipates that the demand for parking would decrease in the future. To provide the Board with some perspective of the proposed parking requirement, Mr. Shapiro noted that professional office space in Edmonds is required to provide one parking space per 800 square feet, and restaurants must provide one space per 200 square feet. He explained that since he anticipates more office space than restaurant space would be developed on the site, the proposed requirement of one space per 400 square feet seemed appropriate. If the Board feels this requirement is too lenient, he would like to hear their thoughts. He pointed out that developers are typically more concerned about parking than the City is. He summarized that the purpose of the proposed minimum parking requirement is to balance with what is required elsewhere in the code.

Mr. Chave agreed that it would be appropriate to have different parking standards for the new zone. He cautioned against setting the standards based on use since this would require the City to recalculate the parking standard every time a use is changed. He pointed out that the downtown zones have a flat parking standard, which seems to work well. He said it is important to remember that the parking standard identifies the minimum number of spaces required, and developers typically supply as much parking as they feel they need. He agreed that a standard that is stronger than the downtown requirement of one space per 500 square feet would be appropriate since the downtown area has opportunities for parking on the street, which is not the case for the subject property.

Board Member Lovell expressed concern that a parking requirement of 1.5 spaces per residential unit might not be adequate. Mr. Chave pointed out that the requirement would actually be 1.6 spaces per unit once the guest parking component is factored in. He noted that, as proposed, 1/2 space per unit could be shared with the commercial component, but a formalized agreement should be required to ensure that the shared parking remains available for both uses. He summarized that the proposed language sets a minimum standard for parking and allows a portion to be shared through an approved agreement with the City of Edmonds.

Mr. Shapiro provided a map to identify the proposed location for Districts 1 and 2. He noted that the northern property line slopes up substantially, and there are significant rockeries and fir trees that currently exist along this property line. The

property owner intends to maintain this setback and the fir trees. The project would not encroach closer than 20 feet to the rear property line, which is more than he typically likes to see for a setback. The setback would follow the existing rockeries. He explained that, as proposed, Districts 1 and 2 would overlap by about 25 feet to provide variation and flexibility in building design. He emphasized that he does not anticipate that four-story development would be allowed to extend out to the street edge. Mr. Chave clarified that different building heights have been identified for Districts 1 and 2. However, as proposed, the boundaries of each of the districts overlap by 25 feet, and this overlapping area could be developed using either the District 1 or District 2 standards.

Leslie Brown, A.D. Shapiro Architects, explained that the diagram is a further development of one that was shown to the Board previously. The purpose of the initial diagram was to identify the general location of the two different districts, and the updated version provides more hard line distinctions between the two. She said they opted to provide the diagram in place of a more rigid master plan map. She pointed out that placing the residential units behind the commercial space is the most viable option because they would be separated from the street noise by a greater distance and would be more compatible with adjacent residential uses.

Mr. Chave said he previously spoke with Mr. Shapiro and Ms. Brown about the concept of applying a hybrid form-based zoning approach to the subject property instead of the more rigid master plan approach. However, a form-based zoning approach typically includes a lot of pictures and diagrams to illustrate how things should work. He explained that with form-based zoning, it is more difficult to describe in words how a project should be configured, but pictures help get the intent clearly across to developers. He said the next iteration of the proposal would include the actual diagrams in the zoning code, and the draft language could key off the diagrams to describe the setbacks, buffers, tree retention, etc. Ms. Brown emphasized that the existing trees are an important component of the site plan because they provide a strong buffer between the proposed new zoning and the existing adjacent residential properties.

Mr. Shapiro reminded the Board that there is a low point in the northwest corner of the site on Firdale Avenue. The grade rises 20 to 30 feet as you move towards the northeast corner, which is the high point of the site. He pointed out that while they intend to extend the underground parking structure into the setback area as allowed by the existing code, they do not intend to encroach into the setback and disturb the northeast corner where the dense trees are located.

Board Member Lovell noted that a parking structure is not identified in any of the proposed language. Mr. Shapiro replied that he did not see the need to stipulate that the parking must be provided in a garage. It is important to keep in mind that given the setback and 20% open space requirements, it would be nearly impossible to construct a viable project that meets the parking ratio without providing at least some underground parking. However, he suggested it would be presumptive to require that a future project provide underground parking at this time. Ms. Brown suggested a note could be included in the zoning and design standards regarding the likely need for underground parking. Chair Guenther said that, typically, zoning language does not specify that parking must be provided underground. However, underground parking is often necessary in order to meet all of the zoning criteria. He did not feel it necessary to spell it out in the zoning language. Mr. Shapiro agreed and pointed out that the value of the property would likely be high enough to push the development to 100 residential units or more and to maximize the amount of retail space. This would necessitate underground parking. Board Member Young suggested that it is improper for the Board to talk about requiring a parking garage as part of the zoning criteria since no other zoning code in the City mandates a parking garage.

While Board Member Young said he generally supports the proposal, he recalled that when the concept was presented previously to the Board, Mr. Shapiro provided more visual illustrations. He suggested Mr. Shapiro wrap up this presentation and come back before the Board at a future meeting with more visual information to illustrate the concepts presented at the neighborhood meetings, as well as the existing development on surrounding properties. It would be helpful for the Board to have illustrations to see how the proposed provisions would change what is already in the area. Ms. Brown pointed out that these illustrations were provided as part of their original presentation to the Board, and she thought that tonight's presentation was supposed to review the proposed language.

Chair Guenther recalled that Mr. Shapiro and Ms. Brown presented a lot of information to the Board at a previous meeting, and he likes what has been done so far to codify the concepts into zoning regulations. He said he understands what they want to accomplish, but he agreed with Board Member Young that it would be helpful to have illustrations before them as

they review the proposed code language and design standards. Mr. Shapiro recalled that with prior rezone applications he has presented to the Board, he was chastised for providing too many illustrations.

Mr. Chave summarized that the Board is looking for a more polished proposal so that diagrams are integrated into the text and pictures are provided to illustrate the design guideline concepts. Board Member Works said she would also like Mr. Shapiro to provide photographs to illustrate existing development on surrounding properties.

Mr. Shapiro said that at the next meeting, he hopes the Board can work through the verbal language along with the diagrams and visual additions. After the next work session, he would like to come back to the Board with the final draft ordinance for a public hearing. Board Member Dewhirst pointed out there are numerous references in the draft language to maps and diagrams, and he felt the text was to the point of sufficient detail to integrate the maps and diagrams into the document.

Mr. Shapiro agreed to provide staff with a PDF of his power point presentation to distribute to the Board Members prior to their next work session.

ELECTION OF PLANNING BOARD OFFICERS

BOARD MEMBER GUENTHER NOMINATED BOARD MEMBER BOWMAN AS CHAIR OF THE PLANNING BOARD FOR 2008. BOARD MEMBER WORKS SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

BOARD MEMBER GUENTHER NOMINATED BOARD MEMBER LOVELL AS VICE CHAIR OF THE PLANNING BOARD FOR 2008. BOARD MEMBER YOUNG SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

REVIEW OF EXTENDED AGENDA

Mr. Chave said that he and Mr. Bowman recently spoke with the Mr. McIntosh, the Parks, Recreation and Cultural Services Director, regarding the concept of utilizing the Board as both a Parks Board and Planning Board in 2009. He explained that the Parks Department has a lot of projects on the table in 2009, and Mr. McIntosh does not believe that quarterly reports before the Board would be sufficient time to work through all the issues. He indicated he would like to bring more items before the Board and have the Board interact with staff on a regular basis. It was recommended that one meeting each month be set aside as a Parks Board Meeting and the other as a Planning Board Meeting. The Planning Board agreed that would be appropriate. It was noted that the January 14th meeting would be dedicated to parks issues.

PLANNING BOARD CHAIR COMMENTS

Chair Guenther thanked Board Members Dewhirst and Henderson for participating on the Board for the past several years. He said he appreciated their input and enjoyed working with them.

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Board Member Lovell reported that the consultant who was hired by the City to complete the aquatics center study has been working with the citizen's advisory committee to develop a matrix of each of the three potential sites. The Parks, Recreation and Cultural Services Department has also hired a second consultant to undertake a telephone survey that would involve a minimum of 300 complete responses. The survey would be conducted in early January, and the results would be integrated into the aquatic center report. Tentatively, an open house has been scheduled for January 14th, a citizens advisory committee work meeting on February 12th, and a second open house on March 5th. The goal is to have the report to the City Council by March 24th.

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Board Member Henderson said he enjoyed working with the Board over the past four years.

All of the Board members thanked Board Members Henderson and Dewhirst for their years of service on the Board.

Board Member Dewhirst reported on his attendance at the 4th Avenue Arts Corridor Citizen Advisory Group meeting where the preferred alternative was presented. He said that, in his mind, it is still a work in progress. He recommended to the group that before they go much further in the process, they should conduct a joint meeting with the Planning Board and the Arts Commission to update them on what is being proposed. He said the discussion kept going back to what the land uses should be for the properties on 4th Avenue, and more work is needed in that regard. He expressed his belief that if the City plays it smart and moves ahead with their plans for the 4th Avenue Arts Corridor, there may be some public works funding available from the Federal or State government because it involves street work, drainage improvements, etc..

Board Member Dewhirst thanked all of the Board Members. He said his experiences on the Board have been interesting, and he wished them luck as they work on interesting items in 2009.

ADJOURNMENT

The Board meeting was adjourned at 8:45 p.m.

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