City of Lynnwood
PLANNING COMMISSION MINUTES
November 15, 2007

Commissioners Present:	**Staff Present:**
Patrick Decker, Chair	David Kleitsch, Economic Dev. Director
Maria Ambalada	Ted Hikel, City Council Liaison
Richard Wright	Shay Davidson, Administrative Assistant
Jeff Davies	Paul Krauss, Comm. Development Director
	Kevin Garrett, Planning Manager
Commissioners Absent:	John Bowler, Associate Planner
Elisa Elliott, First Vice-chair	
Michael Wojack, Second Vice-chair	**Others Absent:**
Tia Peycheff	

CALL TO ORDER

The meeting was called to order by Chair Patrick Decker at 7:00 p.m.

APPROVAL OF MINUTES

None

COUNCIL LIAISON REPORT

Councilmember Ted Hikel reported that:

- The new permit center opened today.
- The Council approved the Amini preliminary plat and passed the Findings of Facts and Conclusions of Law.
- The Royalwood rezone request was denied by the Council.
- The 2008-2013 Capital Facilities Plan was adopted.

CITIZEN COMMENTS

None

PUBLIC HEARINGS

1. Parking Code Update

Chair Decker opened the hearing at 7:02 p.m. Upon notification that Mr. Bowler was absent the public hearing was suspended.

WORK SESSION

2. Highway 99 Corridor Revitalization Study

Economic Development Director David Kleitsch updated the Planning Commission on the Study. He reviewed the Memo that went to City Council for their October 17 meeting, focusing especially on the background section. He then delivered a PowerPoint presentation detailing elements of the study. The study looked at Highway 99 from the north edge at 525 down to 216th Street in Edmonds. This was done to look at opportunities for increased economic vitality and to improve land use conditions and development conditions along the corridor. They also wanted to improve the relationship between transportation and land use. This is important since Community Transit is currently looking at Bus Rapid Transit along this corridor. They also reviewed conflicting land use and development along Highway 99. He reviewed the results of the study regarding information on existing conditions; development opportunities along Highway 99; strategies for land use and transportation; new uses; and compatible development with neighborhoods. He summarized that there is definitely some redevelopment potential along this corridor, especially near the four or five planned Community Transit Swift Bus stations and other larger sites. He reviewed results of the stakeholders' meetings.

Chair Decker asked if there was any existing section of Highway 99 that stakeholders pointed to as a concept of what they'd like to see in our area. Director Kleitsch said they did not. He explained that they saw some opportunities in existing conditions, but right now Highway 99 is set up under the existing land use code which is segmented and splits uses apart. He pointed out that the stakeholders did mention Shoreline and some of the amenities that exist there. They also like some of the newer developments that were implemented under improved design standards. Most of the conversations among the stakeholders revolved around mixed-use projects that led to community gathering places and there are not many of these out there.

Director Kleitsch addressed community concerns of losing small businesses and overregulation of business. There were also concerns about the proximity of high density developments to single-family homes. Strategies developed by stakeholders were discussed.

Director Kleitsch then reviewed next steps for 2008.

- Work with City Council regarding Big Rocks strategies related to Highway 99.
- Comprehensive Plan and Zoning changes will be necessary if the City intends to move forward with any of this.
- Improve physical conditions.

Questions and Comments:

Chair Decker asked for informal information about what's happening at 196th and Highway 99. Director Kleitsch said that there has been discussion of a Home Depot. This type of development would be allowed under existing zoning, but there has been nothing finalized yet.

Commissioner Maria Ambalada said that there is a lot of fear among small business owners along the corridor that they may have to incur some of the expenses of improvement. There is also a fear that Lynnwood is not very pro-small-business because of the sign code that was just enacted. She discussed a conflict that exists between small businesses and the City's regulations.

Planning Manager Garrett explained that the ordinance amendment regarding signs actually allows more signage than they did before. The code enforcement issues that have arisen relate to signs that have been illegally placed around the city traditionally. They have always been illegal, but they are now being collected with regularity. Commissioner Ambalada suggested that perhaps there should be some compassion in enforcing these codes.

Councilmember Hikel commented agreed that there is a perception problem with small business owners. He noted that for the last few years the City has not been able to enforce the sign ordinances the way they had in the past because of court cases that were pending. During this time there was a suspension of the enforcement of those codes, but the codes have always been there. Now that the court case has finished and the sign code has been amended, the City is enforcing the sign code once again. He suggested that maybe they should put out a notice to the businesses to explain this. Commissioner Ambalada stated that it is not only a matter of communication, but also a problem with the timing.

Commissioner Ambalada commented that the new pedestrian walkway in Shoreline near 160th and Highway 99 is beautiful. Director Kleitsch concurred, but he has heard that bicyclists are not happy about having to dismount their bikes.

PUBLIC HEARINGS

1. Parking Code Update

The hearing was resumed at 7:49 p.m.

Public Comments: None

Staff Comments:

Associate Planner John Bowler responded to questions from the previous meeting.

- Regarding whether the 25-foot landscaping was required at the parking structures at the mall. He replied that this was required along the street side.
- Regarding the suggestion to reduce or eliminate the 25-foot landscape requirement there, he noted that in the latest revision of the code he has proposed language that would reduce the width of that strip in accordance with any other landscaping that is required between the street and the parking structure.
- Regarding the question about the requirement in 21.18.710D for landscaping, trellises or other design features on the roof of a parking structure, he stated that nothing had been required for those parking structures and noted that this would probably not be economically feasible. Staff is recommending deleting this section.

Commission Comments:

Chair Decker discussed options open to the Planning Commission:

- The edge of the parking lot landscaping (between the street and the parking lot) and the required landscaping around the foot of a parking structure be combined to come up to the total of 25 feet.
- Continue to require the edge landscaping around the parking lot, but remove any landscaping requirements around the foot of the structure.
- Leave it as is and require the 25 feet around the parking structure plus any additional requirements.

Commissioner Ambalada asked who would pay for all the landscaping. Mr. Bowler replied that the requirement comes up when a new shopping center development comes in so the property owner is responsible for that.

Chair Decker stated that his preference would be to combine the two landscaping buffers so that they had a combined total of 25 feet.

A motion made and seconded to forward the recommendations as stated to the City Council including the change to the landscaping and the change to the rooftop requirements. Motion passed unanimously (4-0).

The hearing was closed at 7:59 p.m.

WORK SESSION

1. Tent Cities Code Amendment

Director Paul Krauss explained that he spoke with the City Attorney regarding the legal issues surrounding this. These types of ordinances have been out there and have been refined for the past few years so they are fairly well understood. He discussed the history of tent cities in the area and some of the arguments for and concerns about allowing them. Staff is advocating developing an ordinance for Lynnwood in order to prepare for the possibility of a tent city locating here. He referred to the copy of Monroe's ordinance that was distributed to the Planning Commission. He stated that because of federal law, the City does not have the right to say "No" to a tent city locating here. The City does have the right to ensure that basic life safety issues are dealt with, that the property is treated in a reasonable manner and returned to a good condition, that the surrounding neighborhood is protected in terms of setbacks, fencing, screening, lighting, parking, confirmation that the sponsor is on board, and notice requirements. He requested guidance and approval to proceed with developing a tent cities ordinance for Lynnwood.

Discussion:

Commissioner Maria Ambalada suggested taking the opportunity to use the tent city as a vehicle to start a project for affordable housing, in coordination with HUD. She stated that the City will soon need that due in part to the mobile home parks that are closing. She encouraged the City to be visionary in addition to meeting the needs of a tent city.

She noted that there are a lot of builders and developers who are retired, but are interested in working. They City could offer them the same incentives that they are offering park owners to develop this in partnership with the City.

Director Krauss commented that the conversation has been started by the City Council who asked staff come back in with a briefing on new housing data. He pointed out that Lynnwood is one of the most affordable places in the entire county. There was some discussion about to what degree society has the responsibility and the ability to provide housing for all. Director Krauss reviewed ways in which the City has been innovative in addressing these needs such as working with the YWCA to allow them to provide low income housing, joining the Snohomish County Housing Consortium, discussing incentives to creating affordable housing, and the approving the Good Shepherd comprehensive plan amendment. He acknowledged that this is a very complex problem, but discussion is ongoing at the City Council. Ms. Ambalada explained that the program she was referring to was developed by Henry Sisneros and is national program that creates a partnership with HUD, cities, developers, and businesses for low-income houses. Director Krauss said they could look into that program further. He noted that in order for staff to proceed with this they needed the approval of the Planning Commission.

There was a consensus to have staff move forward with this. Maria Ambalada added that the City really should make more progress with affordable housing.

NEW BUSINESS

None

DIRECTOR'S REPORT & INFORMATION:

Director Krauss stated that they had the ribbon-cutting for the permit center this morning and recognized Shay Davidson as one of the employees who really helped out putting this together and did a great job. Staff wanted to let the public know that this is out there and services have improved. Their goal now is to improve processes, turnaround times, and technology. Additionally, they hope to reach out to customers for feedback about the permit processes.

He recognized the new Deputy Director David Osaka who will be starting on Monday.

With the approved budget, staff hopes to update the GIS software. There is also funding provided for a financial feasibility study for the annexations. He discussed the MUGA issues between Mukilteo and Lynnwood.

Maria Ambalada commented that she hoped for a permanent meeting location. She expressed frustration at having to give up their meeting place. She felt that it was not professional for the Planning Commission to be kicked out of their space. There was discussion about Lynnwood University needing the space for their large meetings on Thursdays and the possibility of them switching nights.

There was consensus to skip the December meeting and hold the next meeting on January 10.

ADJOURNMENT

Motion made by Commissioner Decker and seconded to adjourn the meeting. Motion passed unanimously (4-0). The meeting was adjourned at 8:44 p.m.

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Patrick Decker, Chair