

**City of Lynnwood
PLANNING COMMISSION SPECIAL MEETING MINUTES
March 2, 2011 Meeting**

Commissioners Present:	Staff Present:
Richard Wright, Chair	Community Devt. Director Paul Krauss
Bob Larsen, Vice Chair	Kevin Garrett, Planning Manager
Van AuBuchon	Shay Davidson, Administrative Asst.
Chad Braithwaite	Mary Monroe, Econ. Devt./Tourism Mgr.
Michael Wojack, Second Vice-chair	Gloria Rivera, Senior Planner
	Other:
Commissioners Absent:	Council Liaison Loren Simmonds
Maria Ambalada	Councilmember Ted Hikel

Call to Order

The Special Meeting was called to order Chair Wright at 7:00 p.m.

Approval of Minutes

- Meeting of February 10, 2011

Motion made by Commissioner Braithwaite, seconded by Commissioner Wojack, to approve the February 10, 2011 minutes as presented. Motion passed unanimously.

Public Comments

None.

Public Hearings

- Project Highway 99 (2009CAM0001). Subarea Plan, Zoning Regulations and Maps and Design Guidelines, regarding redevelopment of the Highway 99 corridor, between 216th St. SW and 148th St. SW. If approved, these documents would allow and encourage development of higher density, mixed-use nodes at key intersections along the corridor. Existing land use designations and zoning at areas in between the nodes would not be changed. Recommendation to City Council required.

Chair Wright reviewed the procedures and rules of testimony for a public hearing.

Staff Presentation:

Planning Manager Garrett discussed the highlights of the plan for redevelopment of the Highway 99 corridor. The proposed plan positions the area for future development. Special consideration has been given to protecting the existing residential neighborhoods east and west of Highway 99. There have been a number of City Council decisions leading up to this. In 2008 the City Council approved the Economic Development Revitalization Strategies for the corridor. A highlight of the strategies is to plan for nodes of Mixed Use development at key intersections on the corridor. The other emphasis is to protect existing assets in the corridor. The Bus Rapid Transit (BRT) service on Highway 99 is a major investment by Community Transit in upgrading transit service up and down the corridor from Everett to Aurora Village in Shoreline. Edmonds Community College is another major asset in the area. One way to guide the redevelopment to help maximize the value of that asset is to provide residential areas for people to live near the school.

Planning Manager Garrett addressed concerns that they have heard from the public. He emphasized that the plan does not require residential development, although there are incentives to strongly encourage it. He also clarified that current zoning wouldn't change between the nodes. He explained that the Growth Management Act (GMA) and Vision 2040 envision growth and development in the state generally, and particularly in the Puget Sound Region, being directed into and encouraged to locate in existing urban areas like Highway 99. The Economic Revitalization Strategies were approved by resolution by the Council in 2008 and written into the Comprehensive Plan later that year. The Council also adopted interim zoning along the corridor with the idea of setting a structure in place for new development.

The plan identifies the nodes for Mixed Use, pedestrian-oriented, transit supportive, higher density development. There are five such nodes along the corridor at 148th, 176th, 188th, 196th and 204th Streets. The idea in between those areas is to protect and encourage the auto dealerships to remain. The plan would promote the mixed use concept in the immediate vicinity of the BRT stations. It would provide support for Edmonds Community College and Central Washington University Lynnwood by providing a place for students to live within walking distance of school. Additionally, the plan focuses on providing opportunities for growth to occur as mandated by the GMA without converting single-family neighborhoods. New zoning regulations and Design Guidelines for the nodes are also recommended. A set of incentives to encourage residential are being recommended. Some of these incentives include more lot coverage by buildings and a greater amount of built space if residential development is included.

The four documents being addressed tonight are: The Subarea Plan; Zoning Code Text Amendments; Design Guidelines; and the Rezoning Maps. Staff's recommendation following the public hearing is for the Planning Commission to

recommend this matter up to the Council with a “do approve” recommendation. They are also looking for recommendations for changes to the final draft documents. Staff believes the proposals are fully consistent with City goals. He recognized the project team for this item including Paul Krauss, Community Development Director; Mary Monroe, Economic Development and Tourism Manager; Gloria Rivera, Senior Planner; and Lauren Balisky, Assistant Planner.

Planning Manager Garrett then pointed out two letters of record which were in the Commission’s packets – one from Sterling Realty Organization (SRO) and one from Ed Trimakas. The letters made recommendations for changes. Staff’s responses were distributed to the Planning Commission.

Chair Wright opened the public hearing at 7:23 p.m.

Public Comments:

Will Daniels, Property Manager, Sterling Realty Organization, 600 – 106th Avenue NE, Suite 200, Bellevue, WA 98005, stated that they have been property owners in Lynnwood for over 50 years. On the southwest corner of 196th and Highway 99 they operated a theater in the late 50’s, then World Concern, and recently a haunted house. They have assembled 12 ½ acres and hope to develop a classy retail development that will be pedestrian-friendly, family-friendly, and green. They have thoroughly reviewed the Mixed Use zoning and Design Guidelines which they think are very good documents. They have submitted some comments in writing and he provided additional handouts with exhibits that include drive-thru window screening examples, monument signs examples, and a preliminary site plan. He discussed his comments and requests as contained in his letter to Planning Manager Garrett dated February 23, 2011.

Kristin Kelly, Snohomish and Skagit Program Director for FutureWise and Smart Growth Director for Pilchuck Audubon Society, 1429 Avenue D, #532, Snohomish, WA 98290, discussed the purpose of FutureWise and the Pilchuck Audubon Society’s Smart Growth Program. On behalf of those groups she urged the Planning Commission to recommend to the City Council that the Subarea Plan contain the needed regulations that will ensure Mixed Use, well-designed residential and commercial development around the Swift Transit Stations and that will offer workforce housing. She advised strongly against just an incentive program as incentives without regulations never really work. She submitted a comment letter which she also discussed. The letter had an attachment from the 2010 New Urban News called *Best Bet for Tax Revenues: Mixed Use Downtown Development*. She also submitted and discussed a booklet called *Transit-Oriented Communities: A Blueprint for Washington State* which is a publication of FutureWise, Transportation Choices Coalition, and GGLO (a Seattle architectural firm). She invited the Planning Commission to review the documents before making their recommendations and to attend a Transit-Oriented Communities

Workshop and Exhibit that she will be putting on in June at the Everett Transit Station.

Brent Carson, Gordon Derr, 2025 1st Avenue, Suite 500, Seattle, WA 98121, submitted a letter to the Planning Commission on behalf of SMR, the owners of the Light-Industrial zoned property that Planning Manager Garrett mentioned. He explained that back in 2008, his client approached the City and asked for and received removal from the proposed Interim Zoning and overlay because of its Light Industrial nature. He expressed appreciation for this, but pointed out that some concerns they have as follows:

- The property is located between 202nd and 204th Streets and on page 37 of the plan the property appears inside the Mixed Use node. Page 41 also shows the property inside the Mixed Use node. In another location the property appears outside the node. He expressed concern about the Subarea plan being approved with a node that includes their property. They believe their property should be excluded from the node.
- Likewise on 1.2.2 they believe that some description of the Light Industrial zoned property should be mentioned so it is very clear that the intent of the plan is to preserve the Light Industrial uses.
- Finally, he expressed a concern about noise standards as they would relate to Light Industrial next to Mixed Use. For consistency of the Comprehensive Plan he recommended that they ensure that development that is encouraged to occur in that Mixed Use node does not somehow preclude the natural development that is also allowed in the Light Industrial use kitty corner from it.

Roland Behee, Community Transit Planning and Development, 7100 Hardson Road, Everett, WA 98203, discussed Swift services in the corridor as they relate to the plan that is being proposed. He stated that the service is doing very well. He also noted that there is some real energy and excitement about the potential for change along the corridor in terms of aesthetics and community feel. Community Transit was very pleased to see the Mixed Use element in the earlier proposals. He encouraged the Commission strongly to consider that and to understand the real advantage that gives them in terms of that Transit/Land Use synergy.

Ed Trimakas, 20515 Highway 99, Lynnwood, WA 98036, thanked everyone who has been involved in this project. He is grateful that the City recognized the magnitude of their zoning problems. He clarified that the Lexus-Mercedes Benz dealership contributes \$32 million annually to the City of Lynnwood. The Highway 99 rezoning proposal submitted in September would have bankrupted this commercial asset. The changes proposed in February, though well-intended, are so narrowly defined that they almost guarantee the ruin of this commercial building in five years. He then discussed the importance of a sizeable monument size for auto dealers. He requested that city officials correct what is turning out to be an injustice. He asked that they consider excluding his property from the

node. He noted that they built the vehicle service building right next to apartments. In the last 20 years they haven't had a single noise complaint or any other complaint from the apartment dwellers about their ownership and use of that property. He emphasized that they are responsible neighbors and he hopes the City will consider their wishes. He stated that if the City is not persuaded to keep his property Commercial General then he asks that they act with some generosity when adding specific Mixed Use changes as outlined in the document distributed to Council. Their primary hope is to keep the Commercial General zoning.

Dana Fick, on behalf of the owners of Westburg Mobile Home Park, 15905 Highway 99, Lynnwood, WA, stated that this park has been designated as an Urban Center by the Snohomish County Planning Department. She requested that they remain in an Urban Center type of zoning. They think the nodes are a great idea and doing some sort of transit-oriented community would fit nicely since it's right on Highway 99 and close to services. She has spoken with her neighbors to the north (House of Clocks) and to the south and they are all in support of the high-density node plan for this area.

Katherine L. McLean, 15905 Highway 99 #35, Lynnwood, WA 98087, commented that the residents of the mobile home park are being thrown to the wolves and sacrificed for commercial interests. She recently went to Charlotte, North Carolina for business last week. She stated that as a tourist it was horrible to find your way around because the signage was small, there was poor lighting, and all the buildings looked alike.

Craig Krueger, Community Land Planning, 733 7th Avenue #100, Kirkland, WA, applauded the City for looking at transit-oriented development along Highway 99. He submitted a letter in October for the draft EIS. He felt that his concerns were very well-addressed. He liked the idea of the residential being required, but if it is not required, he commends them for the incentives that are included in the draft. He recommended incorporating a wide range of housing including both market rate and affordable homes in the different nodes. He suggested looking at some incentives in that regard. The City of Redmond required 10% of the homes be at or below 80% of the average median income for the life of the project. They also phased it in so that the first several developments that came in weren't required to provide affordable housing which provided some incentive for early development. Later on, 10% of the overall number of homes will be required to be affordable homes. He explained that ULI Seattle is sponsoring a workshop later this month on Bus Rapid Transit. They will be looking at ways to plan around Bus Rapid Transit. He pointed out that part of the PSRC's Sustainable Communities Grant that was just given to our area to promote transit-oriented development and help different communities in developing these tools and best practices for this type of development. There will be staff available through PSRC that could come and provide information and some resources or assistance if the

City wants to look at some sort of a program to provide, encourage, promote, or maybe even require, affordable housing as part of these nodes.

June Robinson, Executive Director, The Housing Consortium of Everett and Snohomish County, 2828 Rockefeller Avenue, Everett, WA, asked that they require residential development on specific sites along the Highway 99 corridor. It is important for all communities to provide a range of housing types for their citizens. Lynnwood is set to increase in population significantly in the coming decades and decisions that they make now will affect how and where people live. She urged them to require attractive and dense housing close to where people will be shopping and working along Highway 99. Putting housing density where it belongs, along the transit corridor, will work to keep the density out of the single-family neighborhoods and provide residents with a range of housing options. However, if they do not require the residential housing around specific nodes, the potential for all the good planning work that they've done could be lost. The Housing Consortium is concerned about having a range of housing throughout the County. She urged the City to require that 10% of the housing that is developed within this corridor be attainable to folks that earn less than 80% of the area median income.

Pat Beaudry, 15416 40th Avenue W #37, Lynnwood, WA, stated that she is looking for information about what is going on in her neighborhood and also working on a business plan where she is looking for property possibly on Highway 99 on this corridor.

Larry Ingraham, 18023 Highway 99, Lynnwood, WA, encouraged the Planning Commission to think outside the box with regard to the specificity with which the plan addresses the specific nodes. He commented that several things could preclude the implementation of the plan. The demand may be there, but there are some things that are outside all of our control. That involves the commitments that landowners have made to major national and international companies like Kroger, Safeway, Wal-Greens, Bartell's, and others who have leases for many years to come. Several of these uses occur within the nodes. He encouraged the Commission to not restrict the residential uses that are encouraged in the nodes, to just the nodes. Rather, when opportunities present themselves within other areas in the corridor for redevelopment like that what is similar in the nodes, let it happen there. He also noted that there is a 12-block non-signalized stretch in the corridor where there have been pedestrian and vehicle fatalities. Part of the reason is the lack of safe crossing in that area and bus stops on both sides of the street. The plan addresses pedestrian safety within the property, but crossing Highway 99 is not addressed. He stated that he submitted a letter as part of the public comments on October 11 addressing 8 different points. Staff has addressed many of the points, but has not adequately addressed the issue of how to get across Highway 99 in areas outside the node. It also does not adequately address the surface water problems that have occurred along certain sections of Highway 99.

Commissioner Larsen referred to Will Daniels' list of items that he would like addressed and noted that the list he submitted by mail does not match the packet that he handed out tonight. Commissioner Larsen said he came prepared to talk about each of the items in the letter and he was not sure how to proceed with that now that Mr. Daniels had left. Chair Wright pointed out that the *Responses to Comments on Final Draft for Highway 99* addressed those items in a different format.

Commissioner AuBuchon thanked the members of the public who came tonight to share their concerns. He asked everyone to understand that it is their primary interest to "do no harm" and to better the whole community. He responded to Mr. Daniels' comments regarding drive thrus. He stated that one reason they are not allowing drive thrus is they do not want that kind of traffic on Highway 99. Planning Manager Garrett clarified that there were a number of other reasons they did not want drive thrus such as: aesthetic issues, pedestrian issues, and the amount of space they take up.

Regarding monument signs, Commissioner AuBuchon referred to the example distributed by Mr. Daniels and noted that it was clearly back behind the frontage of the building and well beyond the sidewalk which he thought was the plan would allow.

Commissioner AuBuchon shared Mr. Ingraham's concerns about pedestrian safety. Planning Manager Garrett clarified that there is a parallel study being completed by the Public Works department looking at turning movements, traffic safety, and pedestrian crossing in the Highway 99 corridor. The study has not been completed yet, but some preliminary concepts include things such as traffic safety medians for pedestrians to get across, additional signalization, some C-curbings.

Commissioner Wojack referred to page 31 of the Subarea Plan and noted that the zoning in the deep purple area calls for Residential Required. He asked if this was correct since staff had indicated tonight that residential would not be required. Planning Manager Garrett thought that the map he had might be from the September draft and not the Final Draft.

Commissioner Braithwaite referred to Mr. Daniels' site plan that he submitted tonight. He asked if staff has worked with Mr. Daniels about a development that is within the bounds of the Mixed Use rezoning. Planning Manager Garrett stated that staff has had a couple meetings with Sterling Realty (the company for whom Mr. Daniels works) which included conversations about that kind of site plan. Planning Manager Garrett agreed that Sterling's intent is to do a more traditional suburban shopping center type of development. Commissioner Braithwaite asked if there had been discussion with them about the Mixed Use Design Guidelines

as they would apply to the site they have proposed. Mr. Garrett replied that they had asked them about the Mixed Use development and they have not been inclined to engage on that point. From a design standpoint, staff sees this as being generally feasible.

Commissioner Larsen asked staff if they envision a time when it would be prudent to bring the plan back after they have some time to see how it is working. He expressed concern about the Residential Optional issue. He had concerns about losing the ability to get the density they need for CT and to make this a livable community, whether affordable housing will find its way into this process and finally, how grandfathering fits into this, especially with regard to Mr. Trimakas' property. Planning Manager Garrett replied that there is definitely a point in time when it will be appropriate to go back and look at this although staff has not stated a timeframe yet.

Commissioner AuBuchon asked when staff anticipates that the Commission will complete their recommendation. Director Krauss replied that Interim Zoning has been applied to the corridor. Under State law this must be renewed every six months. It has been renewed four times already and the last time the Council renewed it they asked that the plan come to them before they renew it again, which would be mid-April.

Chair Wright referred to Mr. Carson's concerns about his property which is currently zoned Light Industrial, but appears to be within one of the nodes. Planning Manager Garrett explained that the maps he referred to were general concept maps. If the Commission wished to be clear that there was no change in zoning designation on the SMR property they could make that part of their recommendation to Council. Planning Manager Garrett further clarified that the zoning on that property was not planned to change. Chair Wright then asked if, in general, most Mixed Use Residential properties take into consideration noise attenuation. Planning Manager Garrett replied that there are requirements for sound insulation in the building code that would come into play here.

Chair Wright then asked for clarification about the incentives. Planning Manager Garrett reviewed the incentives which were part of the Staff Report distributed a few weeks ago. Generally, the trigger for qualifying for the incentives under the Residential Encouraged proposal is to include residential unit count equaling to at least 20 units an acre. Some of the incentives are increased lot coverage, increased building height, increased floor area ratio, requirement for non-residential open space is reduced, more flexibility regarding the location of open parking areas along Highway 99 and major side streets, more flexibility on the locations where pedestrian-oriented facades are required, and the opportunity to take advantage of an eight- or ten-year tax abatement program.

Commissioner Larsen asked Mr. Behee if CT has criteria lists for moving transit stations if that was necessary. Mr. Behee replied that one of the fundamental

principles for Bus Rapid Transit in general is a sense of permanence of infrastructure. The notion of picking one up and moving it is typically counter to that principle. The system is also designed in such a way that much of what makes it attractive and successful is the speed and reliability of the service which is also predicated on a limited number of stations and the spacing of those that makes sense. It's not beyond the realm of possibility that a station would move, but it would be a very rare undertaking and the City would need to make a compelling case.

Commissioner AuBuchon asked about the comments regarding the spacing of these and why the stations aren't across the street from one another. Mr. Behee referred to these as split pairs. He explained that when the system was designed it was not possible to put them across from each other in every location so they had to compromise in some of the locations. Commissioner AuBuchon asked if they might consolidate those at some point in the future. Mr. Behee said it is possible, but would be done on a case-by-case basis. Councilmember Hikel added that there is one place Swift buses are that there is a plan for the future. That is to move the southbound station at 196th further south to 204th when 204th is finally put through to the college.

Seeing no further questions the Public Hearing portion of the meeting was closed at 8:47 p.m.

Commission Deliberations:

Commissioner Larsen expressed concern about the interface between tall multi-family buildings and the single-family areas. The way he recommended addressing this is some kind of step-back process on these buildings so they don't end up with a 50-60-foot building sitting over the top of a single-family area. He also expressed concern about the no-height restriction on some of these buildings. Planning Manager Garrett suggested working with the Commission on step-backs if the Commission is interested in that. The appropriate place to address this would be in the Zoning Code section 21.62.450 – *Treatment at Transitional Property Lines*. Commissioner Larsen referred to this section A and recommended going to 50 feet high at 60-foot setback. Under B, he recommended that portions of buildings within 50 feet of single-family zoning shall have a maximum building height of 45 feet. There was a consensus of the Commission to approve this recommendation.

Chair Wright asked staff if a fitness club could have a Mixed Use facility built over the top of it. Planning Manager Garrett replied that it could. He stated that staff would have no concern about that. Chair Wright expressed concern about allowing particular uses for one particular site. Commissioner Braithwaite observed that fitness centers tend to be much more parking intensive and trip intensive than some other types of retail are.

Commissioner AuBuchon referred to a discussion at a Council meeting from a concerned citizen about self-storage uses. His point is that self-storage in a highly dense residential area is actually nothing more than a retail vendor because people in those kinds of area need that service and they don't want to have to drive across town to get to it. He wondered if they might want to reconsider this currently prohibited use. Director Krauss discussed the type of storage that the citizen had proposed and stated that he would encourage the Commission not to put that in this debate. There is a separate ordinance that staff is working on at the request of Council. Chair Wright asked if there might be something between the nodes that they allow in the corridor already that would allow that type of development. Director Krauss stated that the draft they are working on right now would prohibit mini-storage in the CG district. Given this discussion they may come up with something else.

Commissioner Wojack asked about the grandfathering clause. Planning Manager Garrett stated that they cannot force them to change. Under the law they can keep operating there indefinitely. He discussed the difference between non-conforming uses and non-conforming sites. He clarified with the plan they are talking about creating the opportunity for re-use of a building that had been occupied by a non-conforming use. He discussed different scenarios related to this.

Commissioner AuBuchon referred to prohibited wireless communication facilities and asked how this relates to the City's wireless communication facilities. Planning Manager Garrett replied that whatever the City has would be located in the right-of-way. Rights-of-way in Lynnwood are not zoned so are not governed by the zoning regulations. If they determine that all of this equipment is not in the right-of-way staff intends to bring a change forward.

Commissioner Larsen referred to Design Guidelines B-3 on page 7. One of the consultants talked about the right angle intersections as being desirable at the nodes. In Lynnwood we have more of a railroad crossing with a real wide angle and then a small acute angle. He suggested that this might present an opportunity by encouraging residential in the areas with acute angles and office and retail in the areas with broad angles. Somehow these could be linked to facilitate movement between the two areas. Planning Manager Garrett wondered whether the City should be involved in managing to that fine of a detail. Commissioner Larsen acknowledged that developers that could do this kind of development would have to be very large organizations with a lot of capital.

Commissioner Braithwaite referred to Section 21.62.600(c) of the zoning regulations where there is a provision requiring compliance with the Design Guidelines if an existing property has a renovation over 10% of its assessed value. He referred to the GI Joe property and wondered if it was even possible for them to be compliant with the Design Guidelines. Planning Manager Garrett explained that this would come into play for an existing building that wanted to

either expand its floor area by 1,000 square feet or more or renovate the building over 10% of the assessed or appraised value. In the standard design review process there are provisions for these kinds of expansions or renovations. This applies citywide and would apply in the nodes. The decisional criterion for project design review is located in Section 21.25.145(b). This states that development applications for remodeling or expansion of an existing development it need to be consistent with those provisions in the Lynnwood Citywide Design Guidelines *identified by the Director as being applicable*. The rule of thumb staff uses is, "If you touch it, you gotta make it right." In an expansion they look at the expansion, but they don't go back to the existing building and say that they have to do a lot of work there. Another rule of thumb is that you don't want the expansion to stick out like a sore thumb. You want it to look like it was originally built as part of the building. That clause gives the Director the authority to do that in whatever way seems to make sense with the application at hand. Commissioner Braithwaite noted that with the GI Joe's Building, any remodel would have to touch the outside. He wanted to make sure that the regulations don't make it difficult or impossible for buildings to be re-used over time. Planning Manager Garrett stated that it has worked pretty well over the last ten years. In the GI Joe's scenario, staff would look to make sure that it meets whatever guidelines are applicable now. The rest of the building the City would not require changes, such as the open space, pedestrian walkways, etc.

He shared Commissioner Larsen's concern about the unlimited height restriction. He asked if the zoning regulations create a maximum height. Planning Manager Garrett explained that the current Commercial zoning has no height limit. In City Center the height limit is 350 feet in the highest part. It steps down as it gets closer to residential development so that around the perimeter and next to residential the height limit is 35 feet. This is similar to the remarks Commissioner Larsen was making earlier. It would be reasonable for the Planning Commission to put in a height limit. Staff's opinion is that in the nodes the highest they would be looking at is the five-story wood frame over concrete podium. He noted that the Planning Commission could put in 125-150 maximum height limit and then allow higher with a Conditional Use Permit (CUP). Commissioner Braithwaite spoke in support of having a height limit.

The Commission discussed having a general 85-foot height limit with the ability to come in for a CUP and a then a 35-38 foot height limit for development up against single-family residential areas. Director Krauss asked for more specific criteria for evaluating the CUP. Commissioner Larsen expressed concern with getting too detailed about this. He asked about the next height at which you run into a cost barrier. Director Krauss stated that over seven stories you have to go to a different type of construction. The likelihood is that we will never see a demand for that on Highway 99. Commissioner Larsen suggested that when it makes sense and the code comes back for review they can address it. Chair Wright concurred.

Commissioner Larsen noted that they received a lot of input from SRO, such as landscaping around dumpsters. Surrounding them with masonry seems like a great idea. He wondered if there were other things in those recommendations that they should talk about. Planning Manager Garrett offered to walk through those recommendations together. Alternatively, they could take their letter and staff's responses under advisement and bring them back to the March 10 meeting. They could do the same thing with the request from Ed Trimakas and staff's response. Chair Wright spoke in support of working through the items tonight so Director Krauss could meet his commitment for getting this to the Council by mid-April.

Councilmember Simmonds suggested an alternative timeline. He recommended that the Planning Commission get their recommendation to Council by May 2. Council could then schedule a public hearing on May 9, have another Work Session on May 16 if necessary, and still get it done by May 23. Earlier than that would be great, but would not be necessary. He expressed appreciation for the depth of probing and questioning that is happening at the Commission level and acknowledged that that level of discussion would not happen at the Council. There was consensus to work on some of these tonight and then come back for making a final recommendation on March 10.

The Planning Commission recessed from 9:36 p.m. to 9:46 p.m.

The Commission reviewed some of the concerns raised by SRO and staff's response to those concerns:

Health and Fitness Club Use - Commissioner Larsen stated that he had no objection to this at first, but now he had concerns about its impact on other uses, especially with parking. He wondered if there was a way to link this use with some other uses to limit the potential for spread and still allow it. Chair Wright stated that he has seen a number of fitness clubs spring up around Lynnwood and expressed concern about the long-term stability of these. He recommended keeping the original goals for the Highway 99 project in front of them while making these decisions. There was discussion about the history of SRO's proposed site plan and how it does not take advantage of all the opportunities available to them at that site. Commissioner Larsen wondered about allowing a fitness club, but only above the ground level. This would change the atmosphere to a more positive thing. He wondered if they should get into that much detail. Planning Manager Garrett stated that they could if they wanted. Commissioner AuBuchon concurred with Commissioner Larsen's recommendation to allow the fitness center above the first floor. He mentioned one in Mill Creek like that and noted that they had to enter, egress, and park out the back. Commissioner Braithwaite suggested keeping the uses as flexible as possible in order to create the widest range of tenant demand. Fitness centers are an amenity they should not try to restrict too much in a dense urban area. Parking is an issue that would need to be dealt with. The consensus of the Commission was that the fitness

center not stand alone, but could be allowed on the first or second floor in some sort of Mixed Use, whether it be Mixed Use Retail, Mixed Use Office or Mixed Use Residential.

Wireless communication towers – Chair Wright recommended allowing existing uses to continue. Commissioner AuBuchon concurred, noting that cell phone communication is a safety issue in the event of an emergency. He commented on the unsightliness of the one that is behind the SRO property, but acknowledged that some can be quite attractive. They can be incorporated into the building so that they are inconspicuous. Planning Manager Garrett clarified that the concern staff has is regarding the free-standing mast pole type towers. Attached wireless facilities are already allowed throughout the City. It would make sense to allow the current tower on that site to continue, but the question is whether to allow any new wireless towers in that area. Commissioner AuBuchon clarified that he was fine with allowing wireless communication towers, but just interested in making them as aesthetically pleasing as possible. Chair Wright suggested that the aesthetics issue might need to be discussed in a broader aspect than just the corridor. Commissioner AuBuchon concurred. Planning Manager Garrett indicated that they could work out language for this code amendment stating that they either need to be disguised or convey the appearance of a structure typically found in that kind of area subject to design review. There was general agreement to this idea.

Drive Thrus – Chair Wright stated that having a drive thru directly off of Highway 99 in the type of development they are talking about doesn't make much sense. He noted that there may be areas within these nodes where it does make sense. Planning Manager Garrett commented that specifically with the SRO site the issue at hand was that they had up to three multi-lane uses with drive thrus aligned against the street. Staff's issue with that was not traffic because all of the traffic was internal. Staff's issue was that the City is trying to move away from the auto-oriented utilization in the corridor. Planning Manager Garrett agreed that the access points are a critical point to consider as they do not want the access points to come right off a street because they will back up on the street at peak hours. He recommended adding a requirement that access to any drive thru must be off an internal parking area. Another concern about the plan is locating the drive thru between the building and the street. SRO is recommending that this be allowed if they create some sort of screening. Commissioner AuBuchon pointed out that access from the internal parking lot could not be done in a standard parking lot configuration. They would have to broaden the area to allow for backup traffic. Staff indicated that this had already been considered. Commissioner AuBuchon emphasized that they do not want any drive thru service windows facing Highway 99 or any public street.

Lot Coverage – Commissioner Braithwaite spoke in support of staff's recommendation of 35%. Planning Manager Garrett explained that this is the

common lot coverage in almost all the zones. There was consensus to keep staff's recommendation.

The Commission continued discussion of the other issues to the March 10 Commission meeting.

Other Business

Commissioner AuBuchon pointed out that they had requested staff to get back to the Planning Commission with information on the interaction between the Council and Planning Commission and the roles of the Council Liaison and the Planning Commission under state law. Planning Manager Garrett replied that they have it on their to-do list, but have not gotten it completed yet. Commissioner AuBuchon asked to have it on an agenda as soon as possible. Planning Manager Garrett stated that they could have it ready for the March 24 meeting.

Work Session

None.

Council Liaison Report

Council Liaison Simmonds had the following comments:

- He feels it is important for the Planning Commission to continue what they are doing and have things spelled out clearly in the plan. He expressed appreciation for the in-depth process the Planning Commission is going through.
- The Council has confirmed a new finance director who will be here in two to three weeks. This person stated that one of the reasons he was attracted to this position was because Lynnwood was an economic hub and he was looking forward to the opportunities that presents.

Director's Report

Director Krauss had the following comments.

- He commented on why the five-story wood frame construction is an important issue. He stated that this is something a number of other jurisdictions started doing ten years ago, ostensibly to provide more affordable housing. There were no good guidelines for how to do it so the cities made it up. At the time he was with another city that took the same course of action that Lynnwood has that until the industry figures out how to do it right they don't want to substitute their judgment for some scientific method. He commented on some of the problems with these buildings such as settling and fire safety. There are now standards for building these structures. The ordinance recently adopted by the City Council was

- a joint effort of the fire and building departments to get comfortable with this. It puts Lynnwood back in a competitive situation with other cities.
- On Monday night the City Council approved the contract for the Lynnwood High School EIS. This should be completed about May. At which time they will most likely be making application for a planned action Comprehensive Plan Amendment and Rezone for redeveloping that site. Some of those actions have to start with the Planning Commission. Staff expects those items to come to the Planning Commission in late spring or early summer.
 - Instead of the volunteer dinner, the volunteer event will be on the evening of April 12, they will have the opportunity to experience the new Recreation Center. He stated that this is the most impressive facility that exists in this community or any others in the vicinity.

Planning Manager Garrett distributed CDs of the new Comprehensive Plan and printed copies of the Commission Rules following their action last week to amend them.

Commissioner AuBuchon expressed concern about the fire hazard of the five-story wood frame buildings. He stated that bonfires in the shape of a log cabin will burn even in the rain. Planning Manager Garrett remarked that the Fire Marshall researched this and was comfortable with it. The fire department believes it is as safe as it would be if it were metal or masonry construction.

Adjournment

The meeting was adjourned at 10:29 p.m.

Richard Wright, Chair