

**City of Lynnwood
PLANNING COMMISSION MINUTES
February 23, 2012 Meeting**

Commissioners Present:	Staff Present:
Richard Wright, Chair	Community Dev. Director Paul Krauss
Bob Larsen, Vice Chair	Administrative Asst. Shay Davidson
Maria Ambalada	Econ. Dev. Tourism Mgr. Mary Monroe
Chad Braithwaite	Econ. Dev. City Center Program
Doug Jones	Manager Janiene Lambert
Michael Wojack, Second Vice-chair	
	Other:
Commissioners Absent: None	Councilmember Van AuBuchon

Call to Order

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

Approval of Minutes

1. Meeting of February 9, 2012

Motion made by Commissioner Ambalada, seconded by Commissioner Braithwaite, to approve the minutes as presented. Motion passed unanimously (6-0).

Citizen Comments

None.

Public Hearings

None.

Work Session

1. **Transition Area Zoning Regulations (2008CAM0003).** Proposed zoning and design guideline regulations for Alderwood – City Center Transition Area, generally located east of 36th Ave W., south of 188th St. SW and west of Alderwood Mall Blvd.

Economic Development Tourism Manager Mary Monroe noted that the recent amendments to the draft Zoning regulations were designed to respond to the questions that the Planning Commission had at the previous meeting. She then

reviewed the *February 16, 2012 Draft Zoning Code* and invited the Commisisoners to comment.

Permitted and Prohibited Uses:

Commissioner Braithwaite asked about the rationale for the 50% figure for retail and eating and drinking establishments on the ground floor of a building. Ms. Monroe said the intention was to limit the amount of activity, especially traffic, in the LDA to help mitigate the impacts to the neighborhood. This can also apply to a standalone use, and not just uses locked inside of a mixed use building. Commissioner Braithwaite thought that parking would probably be a constraint before the 50% constraint. He wondered if there were any other ways to limit this. Community Development Director Paul Krauss added that there may well be other limitations in addition to what's in this code, such as parking requirements.

Vice Chair Larsen referred to item 17, "Assembly of . . ." and commented that this resembles flex zoning. Ms. Monroe stated that they looked at providing flex space, but it didn't quite fit in. This is an attempt to allow some new uses. Director Krauss commented that they currently have a number of those uses in that area and there was no desire to force those out.

Commissioner Ambalada thought that a community theater would be unique and profitable addition to this area. Director Krauss thought a theater would be a wonderful idea for the community, but he was not sure if it was compatible with this transition area considering the traffic impacts. City Center Program Manager Janiene Lambert noted that in the City Center Zone, Town Square Park is planned and one of the concepts calls for adding an amphitheater for civic outdoor performance space.

Ms. Monroe reviewed the Prohibited Uses. There were no comments or questions.

Development Standards:

The minimum and maximum setbacks were added consistent with what they had discussed before with a proposed alternative to the building heights. Staff is attempting to create the view corridors, mitigate the issue with the big "wall", and still allow the building and property owners some ability to go up. Staff is proposing the following:

- Retain the LDA
- Retain the 40-foot maximum
- Retain the maximum building height of 85 feet although you could go above 85 feet outside the view corridor with a Conditional Use Permit. East of 33rd you could go up to 120 feet without a Conditional Use Permit.
- The building height would be measured from the finished grade of the building, not from the curb.

- Limit lot coverage to 50% in the whole transition area.

Commissioner Braithwaite asked if there is any FAR requirement for the area. Ms. Monroe said there is no FAR; they are just limiting the building lot coverage and height.

Vice Chair Larsen asked how they would measure the building height in the event of a sloping site. Director Krauss explained that they would use an average of the height from high to low points of the slope.

Commissioner Wojack asked if the LDA would be as wide as the view corridor. Ms. Monroe affirmed that it would, but noted that the LDA is stair-stepped. The view corridor is either 70 or 80 feet. The LDA is an ultimate distance of 100 feet from the curb. There are some properties that would fall both in the LDA and the view corridor. She added that if a property falls in the view corridor it is limited to 40 feet in height, but they would be able to take the difference between 40 feet and 85 feet and transfer it to another property outside of the LDA, but within the transition area to allow the extra height to go there. Setbacks, lot coverage, and any other requirements would still apply.

Commissioner Braithwaite asked if you would have to own both pieces of property or if those rights could be transferred. Ms. Monroe said they were considering allowing those to be transferable.

Commissioner Braithwaite referred to the overhead map and noted that the view corridor was pretty narrow. He asked about having the west side of the view corridor be a little bit wider. Director Krauss replied that this is already a compromise that they hope can address the needs of the residents while not impacting the property owners too much. The view corridor has been defined as "the view down the street" so they picked the width of the street and carried that forward. He clarified that there will not be a wall of buildings lining that corridor because there are other requirements that buildings have to meet.

Building and Site Standards:

- They are limiting the driveways that are possible on 36th to one per project.
- Screening will be required for service areas.
- Setbacks will be required from residential areas.
- Parking is the same as the LMC except they are allowing 1.5 spaces per dwelling unit.
- There will be additional landscaping requirements along 36th Avenue West and 188th Street SW frontages and along 33rd Avenue West and the extension of 194th Street SW (if that occurs). They want to push the buildings up to the streets on 33rd and 194th and/or create public spaces.

Commissioner Ambalada commented that the proposed extension of 194th has been a contentious issue at the City Council. Director Krauss explained that they are fully aware of that. He noted that the Council may be taking final action on the City Center on February 27. This should result in more of a determination about 194th. He reviewed the background on this matter for the benefit of the newer commissioners. Commissioner Ambalada asked about the legal contractual issues between the PFD and the City. Director Krauss explained that the PFD was created by the City and their finances are backed by the City. Under bond covenants the PFD stated that if they sell land they must be paid fair market value for the land. Staff has already pointed out that cities and counties are obligated to do that by law anyway. The issue is where the road can go that will damage the PFD's long-term interest to develop the property the least and also provides access to what they want to do the most.

Commissioner Braithwaite commented that awhile ago a bridge connecting 33rd with the other side of the freeway had been discussed. He asked how that would change the character of what they are trying to do in the Transition Area. Ms. Monroe said when and if that occurs they would anticipate that 33rd would become more of a thoroughfare. This accounts for staff's desire to push the buildings up and make it more of a boulevard kind of atmosphere. They have been taking that into consideration while they have been doing their planning.

Director Krauss added that the City has been somewhat successful getting initial funding to do preliminary engineering for that bridge. Alderwood Mall and the area surrounding it is a wonderful concentration of commercial retail uses that draws tens of thousands of people. The City has tried to work through access concerns over the years. The "Poplar Bridge" would give a new main entry option into the mall area. This would increase the values of properties along 33rd and would potentially improve traffic near residential areas in that area. Commissioner Braithwaite asked if they could meet the capacity requirements with the existing streets. Director Krauss stated that the engineering department believes they can. Thirty-third Street is designed as a high-capacity street and is very under-utilized now.

Signs in the Transition Area:

Staff has added limitations on the types of signs that can be installed, the height, and the illumination on sites to protect the neighborhoods.

Commissioner Wojack referred to items 2 and 3 which appear to almost conflict with each other. Ms. Monroe explained this.

Other:

Commissioner Braithwaite requested more information about their prior discussion regarding the break points for construction costs and building heights.

Director Krauss said they confirmed with building and fire staff that 85 feet is the point where costs increase dramatically. This is one of the reasons why they lowered the heights in areas near the neighborhood and allowed them to go somewhat higher further to the east. Commissioner Braithwaite asked where the next point is after 85 feet. Director Krauss was not sure, but explained some of the requirements and costs involved in going over 85 feet.

Vice Chair Larsen referred to the Design Guidelines for the Transition Area and asked staff if their intent is to have Design Guidelines suited for a particular section of the City rather than having a set of Design Guidelines that fit the whole City. Ms. Monroe concurred; she explained that this works better because they have different uses and different activities in different parts of the City. Director Krauss added that they can tailor them more specifically to each area this way. The con side is that it's a lot more work for staff and property owners to understand it and work with it.

Commissioner Ambalada asked if they could require the use of solar energy. Director Krauss replied that they can not, but the State keeps adopting more and more stringent energy codes that require greater reductions in energy demand and greater requirements regarding sustainability and low impacts. The City has advocated LEED standards which results in a building achieving a very high level of energy conservation, re-use of materials, and lifecycle cost reductions.

Commissioner Braithwaite cautioned against being too restrictive with energy efficiency requirements. He referred to a study he read showing that a regular office building is naturally far more energy-efficient than a small two-story typical office product.

Commissioner Wojack referred to the Developmental Standards for multi-family residential. He asked if they would prohibit multi-family on the ground floor similar to the City Center. Ms. Monroe replied that in the Transition Area you could have standalone residential structures or you could have mixed use. Ms. Lambert clarified that in the City Center, ground floor residential is permitted, but mixed use development is more highly incentivized.

Commissioner Braithwaite referred to landscaping and design requirements. The landscaping along 188th near the Cosmo Building incorporates very large trees which hang out into the street. He recommended limiting landscaping to smaller trees. Ms. Monroe agreed and stated they have specified that the trees have to come from a city-approved list. She was not sure what trees were on that list, but indicated it would be good for staff to review. Commissioner Braithwaite pointed out this was especially important in the view corridor. Ms. Monroe explained that they have pruning provisions in the code regarding that.

Vice Chair Larsen hoped that this is a good compromise on height. He is happy to see that over time the emphasis will shift to 33rd. He thinks that is a positive change.

Ms. Monroe reviewed the tentative public hearing schedule. The first hearing could be on March 22.

There was consensus by the Planning Commission to move this forward to public hearing.

2. **Self-Storage Code Amendment (2011CAM0002).** Amendments to LMC Title 21 regarding zones in which self-storage are permitted.

Director Krauss reviewed the background on this matter. They are trying to close an anomaly in the zoning code while adding flexibility in some districts. They also want to look at newer types of self-storage construction. Staff is proposing that self-storage uses be permitted in the General Commercial and the B-1 Community Business and allowed as a conditional use in the PCD (Planned Commercial Districts). In these non-industrial districts they can be built as long as they are multi-story buildings that resemble residential or office buildings. In the draft code they did not address self-storage uses in Transition Area or City Center because those aspects are being dealt within those respective zones. In those two areas the only type of self-storage that will be allowed is as a component, no more than 20% of a multi-story building whose primary use is something else. Staff is not proposing that they be allowed at all on the nodes on Highway 99 nor in the low intensity B-3 and B-4 zones.

Commissioner Braithwaite expressed support for the approach that Director Krauss articulated. He referred to the self-storage currently behind Sports Authority on 196th and asked if that is inside the City Center area. Director Krauss said it is in the City Center and would become a non-conforming use.

Vice Chair Larsen asked if there is an issue with crime or people living in these units. He also asked if there is a provision for inspection by public safety. Director Krauss did not think it was an issue for staff right now. There is an enforcement component to this. Staff makes it very clear that these units are not designed for human habitation. Plumbing and electrical service in these units is also limited. Vice Chair Larsen expressed support for this code.

There was consensus to finalize this and bring it back for a public hearing.

Other Business

None.

Council Liaison Report

Councilmember AuBuchon reported that:

- The Council would finally be taking action on Mr. Kerley's chicken issue.
- Council is trying to get caught up on several items.
- There has not been a lot of movement toward joint sessions with the Council and Planning Commission, but he thinks there will be in the future and that this will cut down on work for staff. He will continue to support this efficiency.

Director's Report

Director Krauss reported that David Osaki has accepted the position of Director of Community Development for the City of Fife. This is a great loss for Lynnwood and for Director Krauss personally. He asked for patience from the Planning Commission during this already short-staffed time period.

He stated that it was likely the March 7 meeting would be cancelled.

Commissioners' Comments

Commissioner Braithwaite commented on a significant development activity outside of the City, but adjacent to the City. This is 40 acres behind Beverly Elementary School along 168th and 52nd. Lund's Gulch Creek runs through the property. Director Krauss confirmed this information and noted that it is in the County so Lynnwood has no approval authority over it. The County is keeping them in the loop and asking them for comments, but whether or not they adhere to the comments is up to them. This proposed development is in an area that is fairly sensitive environmentally. Commissioner Braithwaite noted that the access to that area would be through the City of Lynnwood. He asked if that created any opportunities for any sort of review. Director Krauss said they could raise issues, but ultimately it's in the County's jurisdiction.

Adjournment

The meeting was adjourned at 8:12 p.m.



Richard Wright, Chair