

**DRAFT**

**CITY OF SHORELINE**

**SHORELINE PLANNING COMMISSION  
MINUTES OF REGULAR MEETING**

September 5, 2013  
7:00 P.M.

Shoreline City Hall  
Council Chamber

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**Commissioners Present**

Chair Moss  
Vice Chair Esselman  
Commissioner Craft  
Commissioner Maul  
Commissioner Montero  
Commissioner Scully  
Commissioner Wagner

**Staff Present**

Steve Szafran, Senior Planner, Planning and Community Development  
Paul Cohen, Planning Manager, Planning and Community Development  
Lisa Basher, Planning Commission Clerk

**CALL TO ORDER**

Chair Moss called the regular meeting of the Shoreline Planning Commission to order at 7:12 p.m.

**ROLL CALL**

Upon roll call by the Commission Clerk the following Commissioners were present: Chair Moss, Vice Chair Esselman, and Commissioners Craft, Maul, Montero, Scully and Wagner.

Mr. Cohen introduced Lisa Basher, who was recently hired as the Planning Commission Administrative Support Staff.

**APPROVAL OF AGENDA**

The agenda was accepted as presented.

**APPROVAL OF MINUTES**

The minutes of June 20, 2013 were adopted as submitted.

**GENERAL PUBLIC COMMENT**

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

**STUDY ITEM: RECONSIDERATION ON TRANSITION AREA SETBACK AMENDMENT**

**Staff Presentation**

Mr. Cohen reviewed that the City Council adopted the Commercial Design Standards (Ordinance 654) on March 18, 2013 as recommended by the Commission, with just one exception related to front setbacks for buildings in commercial zones when across the street from single-family zones. They later reconsidered their decision and remanded only the provision related to transition standards back to the Commission for study, a public hearing and a recommendation.

Mr. Cohen reminded the Commission that the Town Center plan was adopted after a three-year public process, which included significant discussion about the transition area requirements. The Town Center Plan identifies a 15-foot setback from the right-of-way for commercial development that occurs across the street from a single-family zone. Consistent with the Town Center Plan, the Planning Commission recommended a setback of 15 feet for commercial development that is located across the street from single-family zones. He recalled that during the Planning Commission's public hearing on the draft standards, citizens expressed concern that a 15-foot setback requirement would significantly impact the Ronald Methodist Church's ability to move forward with its low-income housing project. They particularly expressed concern that the 15-foot setback requirement would diminish the site's development potential. The City Council voted to reduce the setback requirement from 15 feet to 0 feet, but later decided to reconsider their decision and remand the provision to the Planning Commission. Since that time, the church applied for a subdivision of commercial property, and their project has vested under the zero setback requirement.

Mr. Cohen advised that notice of the Planning Commission study session, as well as the October 3<sup>rd</sup> public hearing, were mailed to all parties of record and all owners of properties that are zoned either commercial or single-family residential and located directly across the street from each other.

Mr. Cohen provided a diagram to illustrate how the 0 and 15-foot setback requirements would be applied to commercial properties that are located across the street from single-family zones. He said staff recommends the Planning Commission support the City Council's recommendation of a 0 setback requirement. He noted that the transition area requirement for commercial properties that abut single-family properties calls for a 20-foot setback for the commercial building and a 15-foot setback for the single-family residential building for a total separation of 35 feet. Even with a 0 setback, commercial buildings that are located across the street from residential properties would be separated by a 60-foot right-of-way, as well as a 20-foot front setback for single-family residences for a total separation of 80 feet.

Commissioner Wagner recalled that in commercial zones on arterial streets, a 0 setback is desirable to encourage pedestrian interaction. Mr. Cohen agreed that the Commercial Design Standards related to street fronts are intended to encourage pedestrian interest and access. The design standards apply to all commercial development and talk about the types of things that must be located in the space between the building front and the sidewalk such as landscaping and plazas, to support pedestrian activity.

Chair Moss asked if developers would be required to have a 0 setback or if they could choose to have a greater setback. Mr. Cohen answered that 0 would be the minimum setback, but a developer could choose a greater setback. Commissioner Montero asked if a 0 setback would impact street parking. Mr. Cohen answered that street parking would still be allowed.

Vice Chair Esselman inquired about the width of the right-of-way on Linden Avenue North. Mr. Cohen answered that it is 60-feet wide.

Commissioner Craft asked staff to talk about how a 0 setback would impact the pedestrian component of the design elements. Mr. Cohen answered that even if the setback is 0, there would also be a requirement for window transparency on the façade, and the first floor would have to meet commercial building standards, as well. Awnings would be required, along with an 8-foot sidewalk and 5-foot amenity strip. Because the City's goal is to encourage on-street parking, an amenity strip could be modified to be just tree pits so that people do not have to walk through landscaping. He summarized his belief that the design standards, as currently adopted, will result in strong pedestrian environments.

Commissioner Maul expressed concern that the connection between pedestrians and commercial development would be weakened if buildings are setback 15 feet. He agreed with staff that a 60-foot right-of-way and a 20-foot residential setback would result in a minimum separation of 80 feet, which is significantly greater than the 35-foot separation that would be required between abutting commercial and single-family residential properties. He reminded the Commission that a step back would also be required for the portion of building taller than 35 feet to further protect residential properties located across the street. He said he would support a 0 setback. Mr. Cohen added that all multi-family development in commercial zones would be required to provide plazas or other open space that is visible and accessible from the street. Other building façade modulation would also be required for development in commercial zones.

Commissioner Montero asked if a 0 setback would result in less outdoor lighting. Mr. Cohen answered that the Commercial Design Standards include provisions for pedestrian-scale lighting. Commissioner Montero asked if the standards include provisions to shield the single-family properties that are located across the street. Mr. Cohen answered that right-of-way lighting will be dictated by the Engineering Development Manual, and all exterior lighting on private property must be shielded so that direct lighting cannot reach residential properties.

Chair Moss pointed out that the base height for the Neighborhood Business (NB), Community Business (CB), Mixed Business (MB) and Town Center (TC-1, 2 and 3) zones will not accommodate the 7-story building depicted in the diagram provided by staff. Mr. Cohen pointed out that each floor would be approximately 10 feet tall, with additional height for the ground floor to meet commercial standards. However, height is measured based on the slope of the lot, so there is potential for six floors in almost every situation in the CB and MB zones, and seven floors in the TC-1, 2 and 3 zones.

Chair Moss asked if circular driveways would be allowed in front of a mixed-use commercial business for a drop-off service. Mr. Cohen answered that vehicular circulation between the sidewalk and building frontage is discouraged. However, there is a provision that allows for departure from this code requirement if certain conditions can be met.

### **Public Comment**

**Hiller West, Shoreline**, said he and his wife own a home in North City (12<sup>th</sup> Avenue Northeast), but they currently live in Astoria, Oregon. He said he is currently suffering the ill effects of out-of-scale development across the street from his home in North City. His property is zoned single-family and the property across the street is zoned multi-family and commercial. He encouraged the Commissioners to visit 12<sup>th</sup> Avenue Northeast between 175<sup>th</sup> and 180<sup>th</sup> Streets to view the development that has occurred in recent years. He felt this would give them some perspective for their current discussion.

Mr. West commented that a 0 setback for commercial development in transition zones across the street from single-family-zoned homes places commercial development at the property line. As currently adopted by the City Council, an increase in building height of 10 feet would be allowed just 10 feet back from the property line. Potentially, commercial buildings could be 45 feet in height, with a setback of 10 feet. He submitted that the impact of the reduced setback and increased building height could potentially be negative to single-family neighborhoods. Commercial development is not only the people-friendly retail that we all like to envision at the sidewalk level (small shops and cafes). It can also be concrete facades, parking structures, and box-type walls. He urged the Commission to stay with their original recommendation, favoring a 15-foot setback in transition zones. This would have the added benefit of reducing building mass further. If a 15-foot setback is adopted by the City Council based on the Commission's recommendation, it could always be evaluated and reconsidered in a year or two.

**Courtney Ewing, Shoreline**, said she lives at 179<sup>th</sup> and Linden Avenue and has a vested interest in the issue at hand. She expressed concern that allowing taller buildings with 0 setback could reduce the morning light onto residential properties. She also expressed concern that existing commercial buildings could tear down a wall and push clear out to the street. This could have a significant impact to residential properties, as well. She recalled that the stagnant commercial growth in Shoreline was discussed at the last City Council meeting. The potential additional square footage allowed by a 0 versus 15-foot setback was specifically noted. She questioned how many applications the City has received for commercial development based on the current 0 setback.

**Dave Hinez, Shoreline**, said he lives at 178<sup>th</sup> and Linden Avenue. He noted that there is just 35 feet from the center of the road to the existing single-family homes. He expressed concern that allowing commercial development up to the property line and the fact that Ronald Methodist Church's application is already vested seems to be putting businesses ahead of people. He pointed out that there are hundreds of high school students walking up and down Linden Avenue during lunch time. An 8-foot sidewalk is insufficient in this location. He questioned how commercial loads could be safely dropped off at retail businesses if there is no setback requirement. The trucks would have to park in the street.

### **Continued Staff and Commission Discussion**

Mr. Cohen pointed out that the heights allowed in commercial zones have not been changed. He advised that the City has had numerous conversations and pre-application meetings with potential

developers since the adoption of the new standards in April of 2013, but none were required to use the new Commercial Design Standards.

Commissioner Craft asked staff to speak to Mr. Hinez concern about commercial loading on the street and what the code suggests would be the most appropriate way to do that. Mr. Cohen said that, at this time, trucks would not be allowed to park in the middle of the street to unload goods to a commercial establishment. However, when there is a curb and on-street parking, the City allows designated load/unload zones. If that is not possible, the City would require that loading and unloading take place on site.

Commissioner Wagner cautioned the Commission to not focus their discussion on the impacts of a single development (Ronald Methodist Church). Instead, they should focus on the overall vision for the City and how the 0 setback would be applied in all commercial zones.

Commissioner Scully said he would like to see more flexibility throughout the transition area standards. He commented that there are some occasions when a 15-foot setback makes sense, and other occasions when a 0 lot line would be more appropriate. Based on what he has heard, he said he is not inclined to support changing the Commission's recommendation from 15 feet. He referred to Marlboro Street in Boston, which is used for gardens. The mandatory 15-foot setback has resulted in flower beds on private property. There are also examples in Seattle where the 15-foot setback is used for gathering areas. He referred to Mr. West's comment regarding the width of the sidewalk, and noted that the 8-foot sidewalk provided in new developments in Seattle is used for transit and people will not generally slow down and mingle. However, people might linger on a 15-foot setback that has landscaping and benches. He also pointed out that the visual impact looking across the street from a residential property to a 0-lot-line commercial building would be significant, even with an 80-foot separation. He summarized that, while he supports density, he does not believe that foisting this significant visual impact on existing single-family residents will aid the City in the long run.

Commissioner Wagner commented that while she appreciates the comments about sidewalk widths, it is not part of the discussion at hand. She suggested the Commission consider the need for predictability. She explained that Shoreline has had trouble attracting developers because the regulations and standards change too frequently. While there is not one right answer, they must be very sensitive to the City's long-term attractiveness to developers. She cautioned against changing codes frequently to address public concern about a single project since the changes can drastically impact other commercial properties in the City.

Chair Moss summarized that a public hearing is set for October 3<sup>rd</sup>, at which the public will be invited to offer testimony that will go forward as part of the record. She encouraged interested citizens to attend and advised that a notice of the hearing would be published on the Planning Commission page of the City's website.

### **DIRECTOR'S REPORT**

Mr. Cohen reported that City staff has conducted three pre-application meetings for potential multi-family developments with some commercial space. One potential project would be located at 180<sup>th</sup>

Street and Midvale Avenue (Interurban Building site). The applicant is proposing commercial space along Midvale Avenue, with live/work lofts along 180<sup>th</sup> Street. The project would provide upwards of 165 residential units and under building parking would be provided. A second potential project would develop the entire Denny Triangle with approximately 300 residential units on top of structured parking. This project is related to the City's partial street vacation of Westminster Way to shrink the width of the street, provide angle parking, and accommodate more street improvements. A third potential project would be located at 205<sup>th</sup> Street and 19<sup>th</sup> Avenue and would consist of about 100 residential units. He noted that all three projects are in the conceptual phase, and all would be required to meet the Commercial Design Standards. He noted that although the project at the Denny Triangle would be allowed a 0 setback, the developer is actually proposing to set the building back 20 feet to reduce the number of step backs required.

Mr. Cohen reported that the U.S. Biotek Building at 160<sup>th</sup> Street and Linden Avenue is currently under construction. The existing Thai Restaurant and 7-11 would remain on the site for the time being, but full site development would be done around the two existing businesses. He also advised that construction has started on the new International Community Health Center at 167<sup>th</sup> Street and Aurora Avenue North. The project at 152<sup>nd</sup> Street and Aurora Avenue North is also moving forward. In addition, the City has issued a number of demolition and building permits for redevelopment in the single-family zones.

Mr. Cohen announced that the American Planning Association Conference is scheduled for October 2<sup>nd</sup> and 3<sup>rd</sup>. He invited interested Commissioners to contact staff so appropriate arrangements can be made.

Mr. Cohen advised that staff has proposed \$180,000 in the 2014 budget for the 145<sup>th</sup> Street Station Area Planning. He noted that a number of visioning workshops have been sponsored by other groups throughout the community, and the City will conduct its own visioning workshop on September 19<sup>th</sup>. It is hoped that the City's workshop will consolidate the work done at the previous workshops. Commissioner Scully asked that staff send emails to the Commissioners to remind them of special events.

Mr. Cohen reported that the City Council will begin their review of the Draft Environmental Impact Statement (EIS) for the light rail project. They anticipate that the Sound Transit Board will make their selection alternatives for stations in October.

Commissioner Montero asked for an update on the final phase of the Aurora Avenue North Project. Mr. Cohen answered that the City has obtained the necessary funding and dedicated right-of-way, and the project is currently in the planning and design stage.

## **REPORTS OF COMMITTEES AND COMMISSIONERS/ANNOUNCEMENTS**

### **Light Rail Station Area Planning Committee Report**

Commissioner Maul reported that the Light Rail Station Area Planning Committee attended two visioning/planning workshops, which were both well attended. A number of people provided good and positive input. Commissioner Scully added that many people have concerns about potential impacts, but

most are excited about the project. No unforeseen concerns were raised, but the comments will help the City focus future discussions.

Commissioner Craft announced that at their September 16<sup>th</sup> meeting, the City Council will adopt the study area boundaries and comment on the Draft EIS. Mr. Szafran explained that in order to adopt the study area boundaries, the City Council must change the Comprehensive Plan Land Use Map to replace the circles with the Land Use and Mobility Study Areas. It is anticipated that in conjunction with adoption of the study area boundaries, the City Council would also amend the 2013 Comprehensive Plan amendment docket to include this proposed change.

Commissioner Craft announced that in lieu of the Commission's regular meeting on September 19<sup>th</sup>, the City will conduct a Light Rail Station Area Visioning Workshop at City Hall. This will give the Commissioners an opportunity to listen to community feedback. He also announced that the newly-formed 145<sup>th</sup> Committee is scheduled to meet on September 18<sup>th</sup> at Aroma Coffee to discuss the Draft EIS comments. He noted that information about all of the meetings is available on the City's website.

Commissioner Craft reported that a Design Dialogue Workshop will be held sometime in October, at which the consultants will refine the ideas that were captured during the visioning sessions into graphic representations of potential transit-oriented communities.

Chair Moss reminded the Commission that the Light Rail Station Area Planning Project will consume a significant amount of their time over the next few years. She reminded staff to forward the Commissioners all information about the various meetings related to the topic.

Commissioner Craft announced that the Light Rail Station Area Planning Committee report would be moved from the 1<sup>st</sup> meeting of each month to the 2<sup>nd</sup> meeting of each month so they can report on the activities that have occurred during the month. He also announced that the committee meetings have been moved to the 3<sup>rd</sup> Thursday of each month at either 4:00 or 6:00 p.m.

Commissioner Maul requested an update on the Point Wells property. Commissioner Montero advised that a new special interest group has been formed to oppose the Point Wells project, and he plans to attend their next meeting. Commissioner Scully added that oral arguments must be submitted by October 24<sup>th</sup>, and Save Richmond Beach and Innis Arden have asked the City to submit an amicus brief to support their position.

### **AGENDA FOR NEXT MEETING**

Mr. Szafran reminded the Commission that the September 19<sup>th</sup> meeting has been cancelled. He announced that a public hearing on the transition area setback amendment is scheduled for October 3<sup>rd</sup>. Also on 3<sup>rd</sup>, the Commission will have a study session to discuss potential marijuana code amendments. A public hearing on the marijuana code amendments is scheduled for October 17<sup>th</sup>.

### **ADJOURNMENT**

The meeting was adjourned at 8:20 p.m.

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Donna Moss  
Chair, Planning Commission

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Lisa Basher  
Clerk, Planning Commission



**TIME STAMP**  
**September 5, 2013**

**CALL TO ORDER:**

**ROLL CALL:**

**APPROVAL OF AGENDA:**

**APPROVAL OF MINUTES: 1:00**

**GENERAL PUBLIC COMMENT: 1:10**

**STUDY ITEM: RECONSIDERATION ON TRANSITION AREA SETBACK AMENDMENT**

**Staff Presentation: 2:20**

**Public Comment: 31:09**

**Commission Discussion: 41:03**

**DIRECTOR'S REPORT: 49:38**

**REPORTS OF COMMITTEES AND COMMISSIONERS/ANNOUNCEMENTS**

**Light Rail Station Area Planning Committee Report: 58:15**

**AGENDA FOR NEXT MEETING: 1:06:47**

**ADJOURNMENT:**