

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Study Session to review the Washington State Public Health Lab Master Development Plan #201792, and associated Comprehensive Plan Amendment and Rezone
DEPARTMENT:	Planning and Development Services
PRESENTED BY:	Joseph W. Tovar, FAICP, Director Steven Szafran, AICP, Associate Planner

PROBLEM/ISSUE STATEMENT:

The Washington State Public Health Laboratory (PHL) has applied for a Master Development Plan (MDP) to guide the growth of its campus over the next 20 years. The purpose of the PHL Master Development Plan is to define the development of the PHL Campus in order to serve its users, promote compatibility with neighboring areas, ensure uses at the lab are clearly defined and do not pose a safety risk, and benefit the community with flexibility and innovation.

In addition to the Master Development Plan, the PHL has applied for a Comprehensive Plan Amendment and a Rezone. The Comprehensive Plan Amendment will modify policy LU 43 to read, "Public Health Laboratory Campus: An approximately 12.7 acre site". The rezone will reflect the additional acreage added from the Fircrest Campus and change the additional 5 acres from Fircrest Campus Zone (FCZ) to Public Health Lab Campus Zone (PHZ).

Earlier this year, the ownership of the 5 acre site was transferred from the Washington State Department of Social and Health Services to the Washington State Department of Health (DOH). Following the transfer, DOH formalized the separate 12.7 acre parcel through a binding site plan.

The Council will take action on the Master Plan, the rezone, and the Comprehensive Plan Amendment.

The Planning Commission held an open record public hearing on August 19, 2010 to learn about the proposal from staff and the applicant, and then took both oral and written testimony. At the hearing, two speakers offered testimony, both in favor of the PHL Master Plan.

The Commission's recommendation includes a review of the MDP criteria and the application of appropriate mitigations and conditions. See **Attachment 1- Findings, Conclusions, and Recommendations of the Planning Commission.**

The request for a Master Development Plan is a quasi-judicial action decided by the City Council in a closed record hearing; that is, in deciding the matter, the Council is limited to using information in the Planning Commission public hearing record. Because

it is quasi-judicial, the Council cannot accept new information about the proposal, either oral or written, from outside sources.

The Council will review the Planning Commission record and its recommendation, and may pose questions to the staff. Staff will respond to these questions if there is time, or address them in an upcoming staff report to be developed prior to Council action. In its responses, staff will rely on information existing in the Commission record. Council action on the recommendation is scheduled to occur on December 13, 2010.

FINANCIAL IMPACT:

The proposed Master Development Plan Permit would have no direct financial impact.

RECOMMENDATION

No action is required at this meeting. The Comprehensive Plan Amendment, Rezone, and Master Plan Permit will be placed on the December 13 Council agenda for action.

Approved By: City Manager  City Attorney ____

INTRODUCTION

The existing Shoreline Comprehensive Plan designation on the Public Health Laboratory site is "Campus", a specific land use category applied to all campuses in Shoreline. The Campus land use designation applies to four institutions within the community that serve a regional clientele on a large campus. All future development within the Campus Land Use is governed by a Master Development Plan.

The PHL has applied for a Master Development Plan to guide the growth of its campus over the next 20 years. The plan includes partial demolition and replacement of the existing health lab, a new three story administration building, and a new two-story parking garage. The plan also includes relocating and consolidating the main entry drive, providing pedestrian connections between NE 150th Street and Fircrest, and creating new open space.

BACKGROUND

The Washington State Public Health Lab was originally located in downtown Seattle in the Alaska Building, then later the Smith Tower.

In 1985, the PHL moved to the Fircrest Campus which was then unincorporated King County.

In 2006, the Department of Social and Health Services (DSHS) began a master plan process for the portions of the Fircrest Campus that are outside of the health lab's boundary. That plan has not been finalized by DSHS.

In May 2010, the Public Health Lab submitted their Master Development Plan to the City.

PROPOSAL

In the analysis below, projects are described and indicate if they are new or replacement buildings. These projects are shown on **Attachment 1**:

- **New Three-Story Office Building**

This is a new 66,000 square foot building directly east of the existing health lab. The building will house administrative workers being relocated from Kent, WA as well as 190 new employees over the 20-year Master Plan.

This building will add 460 vehicle trips per day with 64 pm peak hour trips (11 in and 53 out) onto NE. 150th Street. The Level of Service (LOS) for all adjacent intersections will not change from their current levels.

- **Existing Lab Expansion**

The current lab is 71,000 square feet with 143 employees. The proposed lab will be 128,400 square feet with 196 employees. The expansion will continue to be one-story and follow the linear pattern of the existing lab.

- **New Parking Garage**

The PHL has proposed a two-story, 240 space parking garage. Access will be from the new Firland Boulevard.

- **New Site Improvements**

The PHL has consolidated two existing driveways into one large boulevard. The Boulevard will connect the health lab, Food Lifeline warehouse, Firland Workshop, and the Fircrest Community.

A pedestrian walking path is replacing one of the driveways. The path will transect the health lab campus providing access from NE 150 Street to the Fircrest Campus. The path may include an art walk, possible transit stop, exterior plazas, and pedestrian amenities such as benches.

Other features of the plan include rain gardens, bike parking areas, solar energy features, green roofs, native landscaping, connections to South Woods, and public meeting rooms.

PROCESS

- Ordinance 507, adopting the master development process, was adopted by Council on December 8, 2008.
- The PHL held a series of community stakeholder meetings between February and May 2009. These meetings intended to discuss design options for the PHL master plan.
- This Master Development Plan Permit was submitted to the City on May 14, 2010.
- A Public Notice of Application (NOA) and SEPA was posted on 4-foot by 4-foot sign facing the public right-of-way, mailed to all residents within 1000 feet of the campus, and advertised in the *Seattle Times* on May 27, 2010.
- A Determination of Nonsignificance was issued on July 21, 2010.
- A Public Notice of Hearing was also posted, mailed and advertised in the same manner as above on July 26, 2010.
- An open record public hearing was held by the Planning Commission on August 19, 2010.
- On August 19, 2010, the Planning Commission unanimously recommended to approve the PHL Master Development Plan.

RECOMMENDATION

No action is required at this meeting. The Comprehensive Plan Amendment, Rezone, and Master Plan Permit will be placed on the December 13 Council agenda for action.

ATTACHMENTS

1. Findings, Conclusions, and Recommendations of the Planning Commission
2. Master Development Plan Proposal
3. Comprehensive Plan Map
4. Zoning Map
5. Public Comment Letters
6. Planning Commission Minutes from August 19

CITY OF SHORELINE
WASHINGTON STATE PUBLIC HEALTH LAB
MASTER DEVELOPMENT PLAN PERMIT
PLANNING COMMISSION
FINDINGS, CONCLUSIONS AND RECOMMENDATION

PROJECT INFORMATION SUMMARY

Project Description: (1) Comprehensive Plan Amendment to modify Comprehensive Plan Policy LU 43(2) and (3) to reflect the increase of the Washington Public Health Lab Campus from 7.6 acres to 12.6 acres and decrease of the Fircrest Campus from 83 acres to 78 acres; (2) change in zoning of the 5 acres from Fircrest Campus Zone to Public Health Lab Campus Zone ; and (3) Master Development Plan Permit to guide the future of the Public Health Lab's Campus over the next 20 years.

Project File Number: 201792

Project Address: 1610 NE 150th Street, Shoreline, WA 98155

Property Owner: Washington State Public Health Lab

Staff Recommendation: Approval with conditions

FINDINGS OF FACT

Current Development

1. The subject parcel is located at 1610 NE 150th Street.
2. The Public Health Lab Campus is approximately 7.6 acres and is developed with the Public Health Lab (PHL), owned by the State of Washington. The site is zoned Public Health Lab Zone (PHZ) and has a Comprehensive Plan Land Use designation of Campus. See Attachment 1- Vicinity Map.
3. The PHL was established to provide a wide range of diagnostic and analytical services for the assessment and surveillance of infectious, communicable, genetic, chronic diseases and environmental health concerns, for the citizens of the State of Washington.
4. The site is surrounded by the Fircrest Campus to the north, east, and west. Low-density single-family homes zoned R-6 exist to the south, across NE 150th Street. Fircrest is also owned by the State of Washington.
5. Access to the PHL Campus is from primarily from NE 150th Street with secondary access from 15th Avenue NE.

6. There are existing sidewalks on 15th Ave NE, and portions of sidewalk on the north side of NE 150th Street.
7. The original public health laboratory building was constructed in 1985. The original building was single-story and 51,000 square feet.
8. In 2000 a 12,000 square foot addition for an office of newborn screening was completed.
9. In 2009, a 5,800 square foot addition for additional laboratory space was completed.
10. Current total building area is 72,500 gross square feet.
11. The PHL currently employs 140 full-time people.
12. There are 142 parking spaces on site.

History

13. The Public Health Lab was originally located in the Alaska Building in downtown Seattle then later relocated to the Smith Tower also in downtown Seattle.
14. In 1985, the Public Health Lab moved to the Fircrest Campus which was then unincorporated King County.
15. In 2006, the Department of Social and Health Services (DSHS) began a master plan process for the portions of the Fircrest Campus that are outside the Public Health Lab site boundaries.

Proposals

COMPREHENSIVE PLAN AMENDMENT

16. In order to have sufficient space to develop under the Master Development Plan, the Public Health Lab is proposing a Comprehensive Plan Amendment to modify LU 43 to read in part:
 - 2. The Fircrest Campus is an approximately 83 78 acre site...
 - 3. Public Health Laboratory Campus: An approximately 7 12.6 acre site

17. The Comprehensive Plan designation itself does not have to change; the five acres are already designated Campus.

REZONE

18. In conjunction with the Comprehensive Plan Amendment, the PHL is also proposing to rezone those same 5 acres from FCZ to PHZ,

MASTER DEVELOPMENT PLAN

19. The PHL has submitted a Master Development Plan (MDP or Plan) to guide the future growth of the campus for the next 15-20 years. See *Attachment 2 (Master Plan)*. The MDP plans for future growth on 12.6 acres. Plan is divided into 5 phases which includes:

Phase 1 - N-Wing West Addition = 2,800 square feet
N- Wing East Addition = 4,250 square feet

Phase 2 – Mechanical Addition = 3,750 square feet
Loading Addition = 2,800 square feet

Phase 3 – Administration Building = 27,000 square feet

Phase 4 – New West Wing = 14,600
New East Wing = 14,600
Demo existing Q, A, and S Wings = 15,700 square feet

Phase 5 – New Office Building = 38,000 square feet
Remodel E and C Wings
New Parking Garage = 200 spaces

20. Also included in the proposed master plan are new parking areas, revised loading area for the Food Lifeline building, open space and amenities for PHL Staff, landscaping, public art, and new pedestrian and vehicular circulation layout.
21. The Public Health Lab is proposing to add 190 employees to their current 140 employees for a total of 330 employees over the 20-year life of the Master Plan.
22. Parking would increase to 400 spaces from the current 142 spaces, an increase of 258 spaces over 20 years.
23. Total building area would increase to 164,500 gross square feet from the current 72,500 gross square feet.

Noticing and Procedures

24. Representatives from The Public Health Lab held a series of community meetings to guide the design process and listen to feedback from the community. Participating organizations included Briarcrest and Ridgecrest Neighborhood Associations, Fircrest School, Friends of Fircrest, Shoreline Fire Department, Shorecrest High School, King County Sheriffs' Office and the City of Shoreline. Five meetings were held (not including early community input meeting and neighborhood meeting) to discuss design options for the Public Health Lab. Those meetings were held on February 13, February 27, March 13, April 3, and May 21, 2009.
25. Staff analysis of the proposed Comprehensive Plan Amendment, rezone and Master Development Plan Permit considered information gathered from a pre-application meeting on February 5, 2009, an Early Community Input Meeting on March 5, 2009, a neighborhood meeting conducted on April 14, 2009, public comment letters, traffic reports, site visits, and meeting minutes from the Community Liaison Panel meetings.
26. A Public Notice of Application for the proposals was posted on site, mailed to all residents within 1000 feet, and advertised in the Seattle Times on May 27, 2010.
27. A Public Notice of Hearing for the proposals was also posted, mailed and advertised in the same way as above on July 26, 2010.
28. 2 comments were received during the required SEPA comment period. See *Attachment 3 (Public Comments)*.
29. After reviewing the information in the submittal and comments, the Planning Department concluded that the impacts of the Comprehensive Plan Amendment, the rezone and the MDP did not warrant additional analysis through an Environmental Impact Statement and issued a DNS on July 21, 2010.
30. An open record public hearing for the Comprehensive Plan Amendment, rezone and the MDP is being held by the Planning Commission on August 19, 2010.

Comprehensive Plan Land Use Designations.

31. The site is designated Campus in the Comprehensive Plan. The adjacent parcel to the west, north and east have a Comprehensive Plan Land Use designation of Campus as well. Most parcels to the south, across NE 150th Street, have a Comprehensive Designation of Low Density Residential. There are High-Density Residential designated parcels on the south side of NE 150th Street adjacent to 15th Avenue NE. The Public Health Lab is proposing to increase its campus by 5 acres, thereby increasing the acreage from 7.6 acres to 12.6 acres. As noted

above, that Comprehensive Plan amendment is being considered by the Commission concurrently with the rezone and MDP. See *Attachment 4 (Comprehensive Plan Map)*.

Current Zoning and Uses

32. As part of Ordinance 507, the Public Health Lab Campus was rezoned to Public Health Lab Campus Zone (PHZ). The adjacent parcel to the west, north and east is zoned Fircrest Campus Zone (FCZ) and is developed with the Fircrest School, a home to developmentally disabled residents. Most parcels to the south are zoned R-6 and developed with single-family homes. Directly across NE 150th Street are parcels zoned R-18, and to the west of these are parcels zoned R-48 and Neighborhood Business (NB). In conjunction with the Comprehensive Plan Amendment and the MDP, the Public Health Lab is proposing to rezone 5 acres of the FCZ to PHZ, thereby increasing the PHZ from 7.6 acres to 12.6 acres. The portion proposed for rezone is currently undeveloped. See *Attachment 5 (Zoning Vicinity Map, and Attachment 6- Proposed Zoning Maps)*.
33. The Public Health Lab was established to provide a wide range of diagnostic and analytical services for the assessment and surveillance of infectious, communicable, genetic, chronic diseases and environmental health concerns, for the citizens of Washington State. The Lab also serves to coordinate and promote quality assurance programs for private clinical and environmental laboratories through training, consultation, certification and quality assurance sample programs. In addition the Lab has expanded their role in providing scientific and managerial leadership for the development of public health policy.

Impacts of the Master Development Plan Permit

34. The following table outlines the development standards for the Campus (all Campus Zones have the same standards) and the proposed Public Health Lab Master Development Plan:

	Max allowed by Ord. 507	PHZ (proposed by applicant)
Front, side and rear yard setback from right-of-way	None specified; City Council can determine	40'
Front, side and rear yard setbacks from R-6 Zones	20-foot setback at 35' building height. Above 35', a building setback ratio of 2:1.	20' side setback from the Fircrest Campus. The PHL is not adjacent to any R-6 parcels
Max. Building Coverage	None specified; City Council can determine	50%
Max. Impervious Surface	None specified; City Council can determine	75%
Height	65'	65' (15' additional height for roof top equipment)
Density (residential development)	None (see footnote)	None proposed
Total Units (potential)	None	None

Footnote: Ordinance 507 limits height to a maximum of 65' buildings and limits density to 48 dwelling units per acre for all sites designated Campus. The Comprehensive Plan does not allow residential as a use on the Public Health Lab Campus so density requirements are not applicable.

35. Traffic Impacts

The applicant has submitted a traffic report to the City. The City Traffic Engineer has determined that the 190 new employees on the site after the completion of the Public Health Lab's Master Development Plan will not overburden Shoreline's transportation system. The traffic report shows that the added employees will result in modest traffic impacts over the next 15-20 years and will not require any traffic mitigation imposed by the City.

36. Safety Impacts

A biological risk assessment was conducted in accordance with the methods and standards provided in the *Biosafety in Microbiological and Biomedical Laboratories* (BMBL) 5th Edition publication by the Centers for Disease Control (CDC) and the National Institute of Health (NIH). Among the guidelines, the BMBL provides a classification system called biosafety levels (BSLs) that are

based on risk assessments which evaluate at which BSL level the laboratory work should be conducted (BSL 1, 2, 3, or 4, indicating lowest to highest risk levels). The Public Health Lab is a BSL-3.

According to the Risk and Safety Assessment for the Washington State Public Health Laboratory, the Lab is in compliance with applicable regulations that protect laboratory workers and the community in which the laboratory operates. The Public Health Lab will continue to operate at a BSL-3 under the proposed Master Development Plan. (*See Attachment 7-Risk and Safety Assessment*).

37. Air Quality Impacts

An air quality assessment for the Washington State Public Health Laboratory was conducted during the last addition to the health lab in December 2008. The objective of the study was to obtain accurate concentration estimates at building air intakes and other sensitive locations due to emissions from various exhaust sources located on or around the lab addition.

The air quality study found that exhaust meets or exceeds design criterion for all locations tested. (*See Attachment 8-Air Quality Assessment for the Washington State Public Health Lab Addition*).

38. Employment Impacts

The Public Health Lab proposes to add 50 Public Health Lab employees to the existing 140 staff and relocate 140 DOH Epidemiology staff from the Kent, WA facility. This will bring an additional 190 jobs to Shoreline.

39. Stormwater Impacts

The applicant submitted a Master Drainage Plan for the Public Health Lab Master Plan. The Master Drainage Plan provides a general and preliminary framework for future development on the campus. Additional geotechnical investigations and other studies will be required during the actual design and permitting of each phase of the project. The City's Drainage Review Engineer reviewed and approved the Master Drainage Plan on July 19, 2010.

ANALYSIS OF PROPOSAL CRITERIA

40. The purpose of a Comprehensive Plan Amendment and rezone is to provide a mechanism to make changes to a land use designation and zoning classification. The purpose of the Master Development Plan is to define the development of property zoned campus or essential public facilities in order to serve its users, promote compatibility with neighboring areas and benefit the community with flexibility and innovation.

41. The notice and meeting requirements for the Type C actions and the Type L action have all been met in this case.

COMPREHENSIVE PLAN AMENDMENT ANALYSIS (SMC 20.30.340)

Comprehensive Plan Amendment Criteria 1: *Is the amendment is consistent with the Growth Management Act and not inconsistent with the Countywide Planning Policies, and the other provisions of the Comprehensive Plan and City policies?*

42. The amendment is consistent with the Growth Management Act; this amendment will provide more employment opportunities to meet the economic development goals of the City. The amendment will encourage development in an urban area where adequate public facilities exist.

Comprehensive Plan Amendment Criteria 2: *Does the amendment address changing circumstances, changing community values, incorporate a subarea plan consistent with the Comprehensive Plan vision or corrects information contained in the Comprehensive Plan?*

43. The amendment addresses changing circumstances. At one time, it was thought that a Fircrest-related use might expand onto this property. Now the State has concluded that Fircrest-related activities will not require use of this property which frees it to be used by another State facility.

Comprehensive Plan Amendment Criteria 3: *Will the amendment benefit the community as a whole and not adversely affect community facilities, the public health, safety or general welfare?*

44. The community will benefit if the PHL expands in order to fulfill its mission as a BSL-3 facility. The Comprehensive Plan limits development of the site to those uses required at a BSL-3 facility, which, according to the State's analysis, will not adversely affect the nearby Fircrest facilities or public health, safety or general welfare.

REZONE ANALYSIS (SMC 20.30.320)

Rezone Criteria 1: *Is the rezone consistent with the Comprehensive Plan?*

45. The rezone would implement the Comprehensive Plan text change by increasing the size of the PHL site and its associated zoning by 5 acres.

Rezone Criteria 2: *Will the rezone adversely affect the public health, safety or general welfare?*

46. By permitting uses that support the function of the PHL, the rezone will promote public health, safety and welfare.

Rezone Criteria 3: *Is the rezone warranted in order to achieve consistency with the Comprehensive Plan?*

47. The rezone would implement the Plan change.

Rezone Criteria 4: *Will the rezone be materially detrimental to uses or property in the immediate vicinity of the subject rezone?*

48. The proposed rezone will have minimal negative impacts to the properties in the immediate vicinity. It would allow uses currently permitted on the 7.6 acre PHL site. New development would likely result in more jobs; however, parking would need to be provided on site and the number of new trips would not overburden the existing street network.

Rezone Criteria 5: *Will the rezone have merit and value for the community?*

49. New jobs might provide employment opportunities for residents of Shoreline. In addition, new employees are likely to do some shopping in the immediate vicinity which would provide demand for other businesses to expand.

MASTER DEVELOPMENT PLAN ANALYSIS (SMC 20.30.353)

MDP Criteria 1: *The project is designated as either campus or essential public facility in the Comprehensive Plan and Development Code and is consistent with goals and policies of the Comprehensive Plan.*

50. The current Washington State Public Health Lab site is designated as Public Health Laboratory Campus Zone (PHZ). The Public Health Lab has applied for a Comprehensive Plan Amendment to modify policy LU-43 to expand the size of the campus from 7.6 to 12.6 acres. Assuming that change to LU-43 is approved, the plans reflected through this master development plan are consistent with the goals and the policies of the Comprehensive Plan.

MDP Criteria 2: *The master development plan includes a general phasing timeline of development and associated mitigation.*

51. The Public Health Lab has developed their plan to occur over a 20 year period. The project is outlined in 5 phases.

52. The chart below outlines the 20-year plan:

	2011-2013	2013-2015	2015-2017	2017-2019	2019-2021	2021-2023	2023-2025	2025-2027	2027-2029
Phase 1									
N-wing addition and remodel									
New sanitary sewer connection									
Phase 2									
R-wing addition									
Mechanical wing addition									
Disconnected from steam tunnel									
Phase 3									
Admin building									
New parking and entry									
Fircrest boulevard									
New power, gas and water service									
Phase 4									
Demo A and Q wings									
New South Lab wing									
New lunch and meeting rooms									
Phase 5									
Remodel E and C wings									
New office building									
New parking garage									

MDP Criteria 3: *The master development plan meets or exceeds the current regulations for critical areas if critical areas are present.*

53. There are no critical areas present on the Public Health Lab Campus.

MDP Criteria 4: *The proposed development uses innovative, aesthetic, energy efficient and environmentally sustainable architecture and site design (including low impact development stormwater systems and substantial tree retention) to mitigate impacts to the surrounding neighborhoods.*

54. Via the MDP, future development on the Public Health Lab Campus will be guided by sustainable design and construction practices. The state of

Washington requires LEED construction for all structures over 5 million dollars. The Public Health Lab intends to employ sustainable practices to steer design, construction, and site development toward not only energy efficiency, but also community interaction. See Decision Criteria item #7 for further elaboration on architectural and site design.

55. The City of Shoreline requires all stormwater improvements to be in accordance with stormwater regulations in effect at the time of permit application. In addition, the SMC 13.10 requires an emphasis on using Low Impact Design (LID) Best Management Practices (BMP's) to convey and treat stormwater runoff.
56. The Public Health Lab proposes to install bioretention and rain garden facilities. Other LID measures may include rainwater harvesting, bioretention with full infiltration, green roofs, and the use of pervious pavers (page 3 of the Master Drainage Report) to treat onsite stormwater and runoff treatment.
57. The proposed onsite stormwater management improvements call for landscaping and open drainage areas (bioretention and rain gardens) to treat stormwater and reduce overall site paving. Each phase of the master plan will be required to provide updated survey information, geotechnical review and additional studies as needed to evaluate existing conditions and to complete the design.
58. The proposal retains 62% of the significant trees on the Campus based on a survey submitted at the time of first permit submittal. The Shoreline Municipal Code allows 20% significant tree retention. Retention of significant trees adds to LID measures to mitigate stormwater runoff and meets the intent of decision criteria #4.

MDP Criteria 5: There is either sufficient capacity or infrastructure (e.g., roads, sidewalks, bike lanes) in the transportation system (motorized and nonmotorized) to safely support the development proposed in all future phases or there will be adequate capacity and infrastructure by the time each phase of development is completed. If capacity or infrastructure must be increased to support the proposed master development plan, then the applicant must identify a plan for funding their proportionate share of the improvements.

59. The Transportation Impacts Analysis submitted by Heffron Transportation, Inc. indicates no major impact to the surrounding transportation system. The Master Plan will increase site traffic by 750 vehicle trips per day with 104 new vehicle trips during the PM peak hour (25 in, 79 out). The Level of Service (LOS) for the intersections surrounding the site will be unchanged from 2019 without project to 2019 with project.

60. Part of the proposal, as set forth in the traffic report, is to install missing sidewalk sections along the north side of NE 150th Street between 15th Avenue NE and 20th Avenue NE.

MDP Criteria 6: *There is either sufficient capacity within public services such as water, sewer and stormwater to adequately serve the development proposal in all future phases, or there will be adequate capacity available by the time each phase of development is completed. If capacity must be increased to support the proposed master development plan, then the applicant must identify a plan for funding their proportionate share of the improvements.*

61. The applicant indicates that there will be sufficient capacity within public services to adequately serve the development proposal in all future phases. When the applicant submits for permits on any new or remodeled building, a water availability certificate, sewer availability certificate, and fire flow availability must accompany the application materials.

MDP Criteria 7: *The master development plan proposal contains architectural design (including but not limited to building setbacks, insets, facade breaks, roofline variations) and site design standards, landscaping, provisions for open space and/or recreation areas, retention of significant trees, parking/traffic management and multimodal transportation standards that minimize conflicts and create transitions between the proposal site and adjacent neighborhoods and between institutional uses and residential uses.*

62. The Public Health Lab has proposed various architectural and site design standards. Standards for setbacks, building mass, hardscape, parking, and site lighting can be found in *Attachment 9 (Development and Design Standards)*.
63. Proposed design standards include tree retention, new plantings, campus site design, drainage, pavement, building materials and building design. .
64. .
65. The proposed Master Plan provides a pedestrian link from NE 150th Street through the Public Health Lab Campus to the Fircrest Campus. Open space is provided around each of the new buildings/additions with courtyards for the Lab Staff.
66. The plan will relocate the main vehicular access to the east. The new access is named "Fircrest Boulevard" and creates better vehicular access to the Lab, the Food Lifeline warehouse and the proposed parking garage.
67. Proposed setbacks combined with landscaping provide meaningful separation from the street and proposed buildings/parking lot. The Lab is proposing a 40-

foot setback from NE 150th Street and a 20-foot setback from the proposed "Fircrest Boulevard". Within those setbacks are retained significant trees, landscaping, and a pedestrian link to the Fircrest Campus.

MDP Criteria 8: *The applicant shall demonstrate that proposed industrial, commercial or laboratory uses will be safe for the surrounding neighborhood and for other uses on the campus.*

68. The Public Health Lab is not introducing any changes in use on the campus and is consistent with the PHZ zoning land use matrix. Further, the Risk and Safety Assessment completed for the PHL indicates the Lab is in compliance with applicable regulations that protect laboratory workers and the community in which the laboratory operates.

69. In order to more fully meet criteria 8, the Planning Commission finds the following conditions shall be added to the MDP:

An updated air quality study shall be submitted and approved with each successive permit for addition to the laboratory building.

The PHL must show full compliance with the Emergency Response Plan conditions contained in the risk and safety assessment dated November 21, 2008. The PHL will provide the City with the most current risk and safety assessments at the time of future permit applications.

CONCLUSIONS

The Applicant has met all procedural requirements in the Development Code for all three proposals.

COMPREHENSIVE PLAN AMENDMENT

As set forth in findings of fact #42-44, the Applicant's proposed Comprehensive Plan Amendment meets the criteria set forth in SMC 20.30.340

REZONE

As set forth in finding of fact #45- 49, the Applicant's proposed rezone meets the criteria set forth in SMC 20.30.320.

MASTER DEVELOPMENT PLAN

The Applicant's proposed Master Development Plan, as conditioned by the Planning Commission, meets the criteria set forth in SMC 20.30.353.

- Criteria 1:** As set forth in finding of fact #50, The Public Health Lab's proposed MDP meets Criteria 1.
- Criteria 2:** As set forth in findings of fact #51 and #52, The Public Health Lab's proposed MDP meets Criteria 2.
- Criteria 3:** As set forth in finding of fact #53, The Public Health Lab's proposed MDP meets Criteria 3.
- Criteria 4:** As set forth in findings of fact #54-59, The Public Health Lab's proposed MDP requires future development be guided by sustainable design and construction practices, includes analysis that shows low impact development stormwater systems, and retains 60% of significant trees. The Commission concludes that, with the additional condition recommended in findings of fact #59 added to the MDP, The Public Health Lab's proposed MDP, as conditioned, meets Criteria 4.
- Criteria 5:** As set forth in findings of fact #60-61, The Public Health Lab's proposed MDP meets Criteria 5.
- Criteria 6:** As set forth in findings of fact #62, The Public Health Lab's proposed MDP meets Criteria 6.
- Criteria 7:** As set forth in findings of fact #63-68, The Public Health Lab's proposed MDP meets Criteria 7.
- Criteria 8:** As set forth in finding of fact #69, The Public Health Lab's proposed MDP meets Criteria 8.

CONDITIONS

The following are added conditions based on staff analysis, and public comment.

70. An updated air quality study shall be submitted and approved with each additional permit for addition to the laboratory building.

RECOMMENDATION

The Planning Commission recommends that the City Council approve the Comprehensive Plan Amendment, the rezone, and the Master Development Plan, as conditioned, for the Washington State Public Health Lab Campus located at 1610 NE 150th Street.

Date: _____

By: _____

Planning Commission Chair

ATTACHMENTS

Attachment 1- Vicinity Map

Attachment 2- Master Plan

Attachment 3- Public Comment Letters

Attachment 4- Vicinity Map of Comprehensive Plan Land Use Designations

Attachment 5- Vicinity Map of Zoning Designations

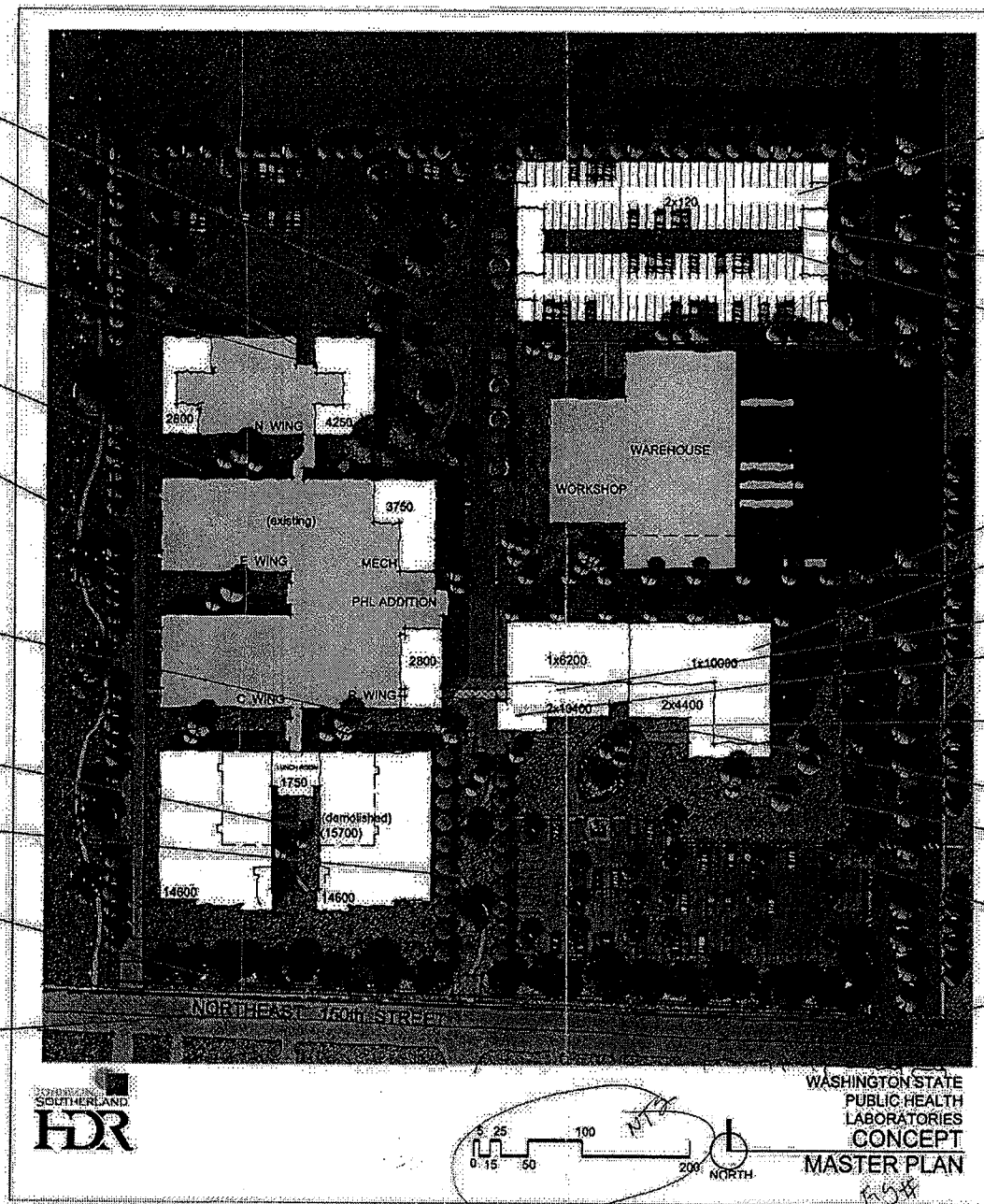
Attachment 6- Proposed Zoning Maps

Attachment 7- Risk and Safety Assessment

Attachment 8- Air Quality Assessment for the Washington State Public Health Lab Addition

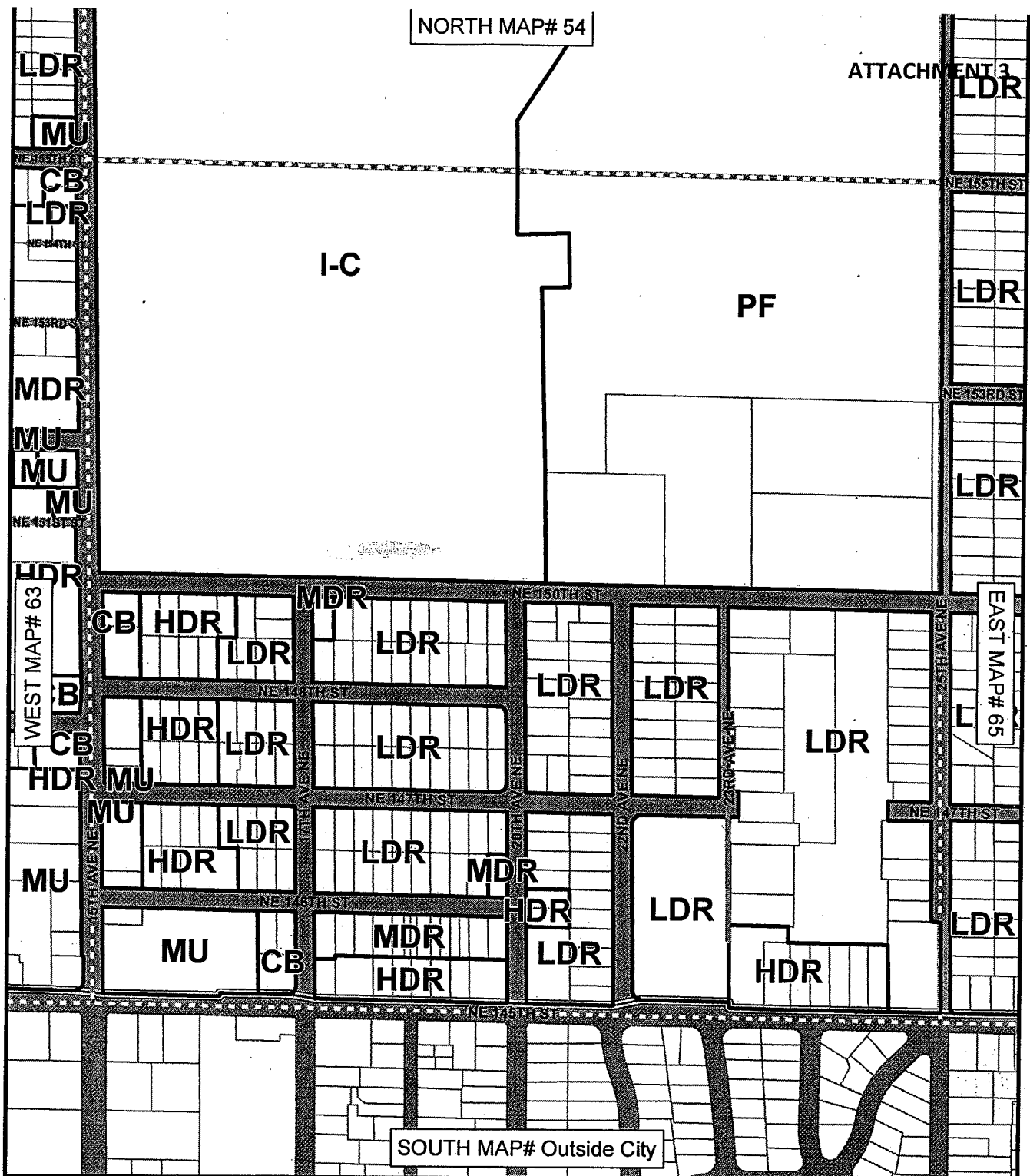
Attachment 9- Development and Design Standards

- Fircrest Campus Connection
- Bike Parking
- Detention Landscape Feature
- Employee Entrance
- Interior Courtyard Raingardens
- Pedestrian Walking Path
- Exterior Plaza with tables and benches
- Employee exterior Plaza (controlled access)
- Public Art Walk
- Bermed Campus Edge
- Pedestrian Campus Entry (Possible transit stop)



- Two story parking garage
- Solar Panel Shading over Parking Garage
- Alternative Fueling Station for Fleet Parking
- Controlled access
- Green Roof at three story Office building
- Third Floor Roof Deck
- Public Meeting Room
- Bike Parking
- Main Entry Plaza
- Native Plant Health Garden
- Alternative Fueling Station
- Connection to South Woods

April 2010



CITY OF SHORELINE COMPREHENSIVE PLAN LAND USE MAP

Land Use Designation Legend

BaSSA Ballinger Special Study Area	NCBD North City Business District
CB Community Business	PF Public Facility
HDR High Density Residential	ProS Private Open Space
LDR Low Density Residential	PubOS Public Open Space
MDR Medium Density Residential	RB Regional Business
I-C Institution/Campus	SSA Special Study Area
MU Mixed Use	

Feature Legend

	- Map Tile Lines		- Unclassified ROW
	- City Boundary		- Parcel Line



Plot Date: 5/27/2010

2	3	4	5	6	7	8	9	10
13	14	15	16	17	18	19	20	21
22	23	24	25	26	27	28	29	30
31	32	33	34	35	36	37	38	39
40	41	42	43	44	45	46	47	48
49	50	51	52	53	54	55	56	57
58	59	60	61	62	63	64	65	66

MAP # 64
1:3,600

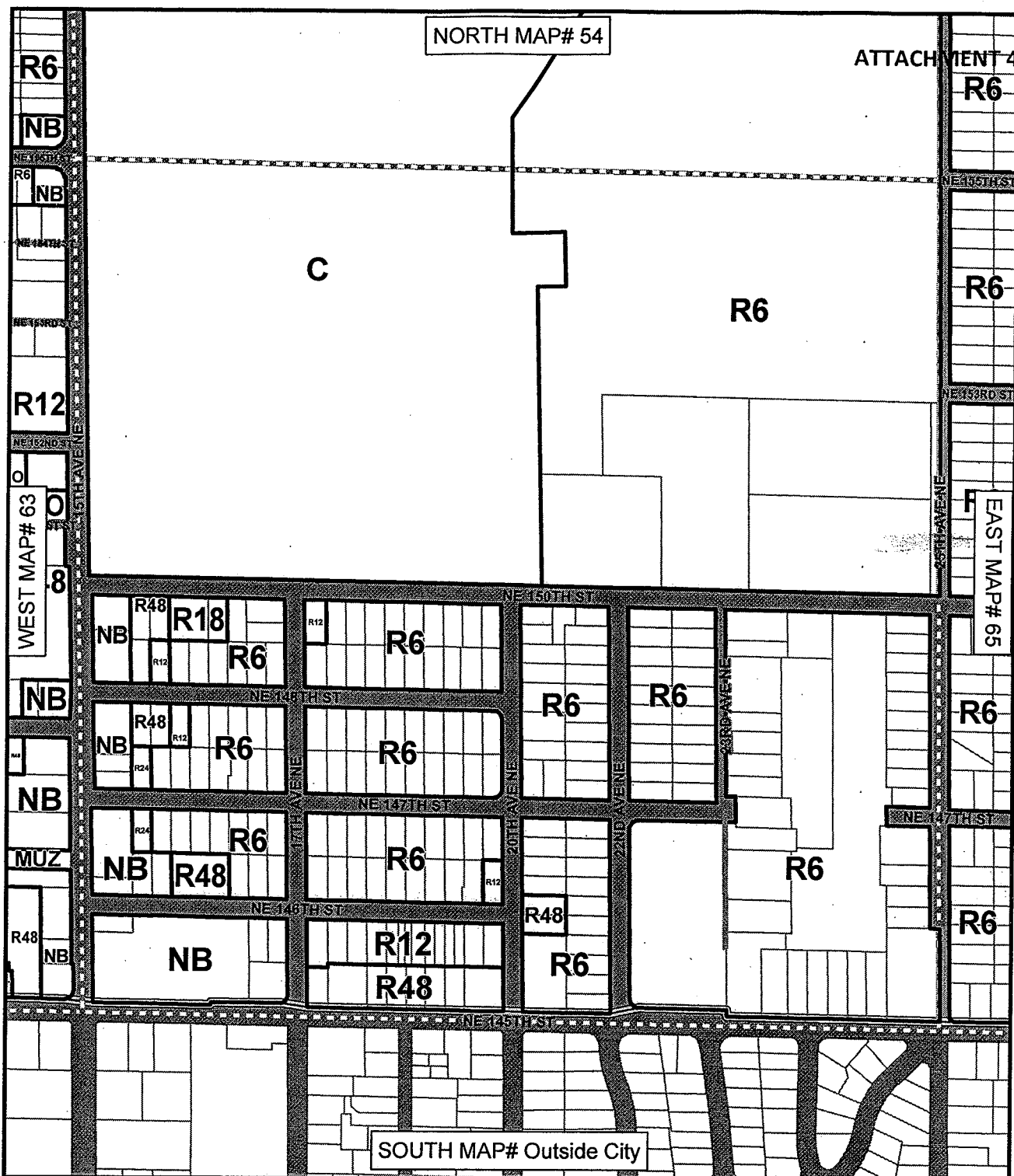
0 75 150 300 450 600 Feet

No warranties of any sort, including accuracy, fitness, or merchantability, accompany this product.

Representation of official Comprehensive Plan land use map adopted by City Ordinance No. 292. Shows amendments through May 31, 2010.



SW1/4-S16-T26N-R4 E



CITY OF SHORELINE ZONING MAP

Plot Date: 7/29/2010

Zoning Legend

R4	Residential, 4 units/acre	MUZ	Mixed Use Zone
R6	Residential, 6 units/acre	MUZ-CZ	Mixed Use Zone/Contract Zone
R8	Residential, 8 units/acre	NB	Neighborhood Business
R12	Residential, 12 units/acre	NCBD	North City Business District
R18	Residential, 18 units/acre	CB	Community Business
R24	Residential, 24 units/acre	O	Office
R48	Residential, 48 units/acre	I	Industrial
CZ	Contract Zone	PA	Planned Area
C	Campus		

Feature Legend

	- Map Tile Lines		- Unclassified ROW
	- City Boundary		- Parcel Line

1	2	3	4	5	6	7	8	9	10
13	14	15	16	17	18	19	20	21	22
25	26	27	28	29	30	31	32	33	
36	37	38	39	40	41	42	43	44	
47	48	49	50	51	52	53	54	55	
57	58	59	60	61	62	63	64	65	

MAP # 64

1:3,600



0 75 150 300 450 600 Feet

No warranties of any sort, including accuracy, fitness, or merchantability, accompany this product.

Representation of official zoning map adopted by City Ordinance No. 292. Shows amendments through March 16, 2010.



SW1/4-S16-T26N-R4 E

Steve Szafran

From: GARY LARSON [fastsilver43@msn.com]
Sent: Monday, May 31, 2010 5:39 PM
To: Steve Szafran
Subject: Rezone of 1610 NE 150th St.

Hello,

I am wondering if the recent proposal to rezone 1610 NE 150th St will cause more of the forested area above the lot where the state public lab is to be destroyed, and if so how much? I hope that this will not be the case at all. Please advise, thank you.

concerned,
Gary L.

Steve Szafran

From: Ken Winnick [kbwinnick@gmail.com]
Sent: Sunday, June 20, 2010 3:53 PM
To: Brian Lee; Steve Szafran
Cc: CECILY KAPLAN; janetway
Subject: Re: public health lab @ fircrest

Hi,

I recently noticed the info board at the public health lab. The comment period appears to be over, but I think it was only open for 1 or 2 weeks based on the dates of the announcements on the board.

I understand the project is seeking a finding of "non-significance" (sorry if I get some of the terminology wrong).

I quickly looked up a few documents on the web about the project.

I was not able to find is any reference to any type of air-quality and/or traffic impacts studies.

Air quality impacts seem especially important, given the fact that this lab handles (or, could handle) very toxic materials, and also that it uses ventilation hoods and other air isolation techniques.

Has there been any studies to see what would happen if there was an accidental contaminated air emission from the facility? Unless I'm misunderstanding something, I would think that an air study would be an absolute requirement for any new expansions on the site.

Has there been an air study and/or traffic study for the proposed development? If so, can you point me in the right direction?

Thanks,
Ken Winnick

PS--I live directly across the street from the lab, so naturally this is of great interest to me.

Steve Szafran

From: Ken Winnick [kbwinnick@gmail.com]
Sent: Monday, June 21, 2010 9:57 AM
To: Steve Szafran
Subject: Re: public health lab @ fircrest

Hi Steve,

One last additional question for now: You mentioned below that the risk assessment looked at "uses at the Health Lab." Does that include uses where bio-terrorism and/or other highly toxic agents are held or processed at the lab?

I've heard conflicting reports as to whether or not the lab would be used to handle highly toxic and deadly agents, but I would have to assume that it *would* in fact be used in for these materials if an emergency situation were to arise. Is that your assessment as well?

thanks again,
Ken Winnick
15307 15th Ave NE #6

On Mon, Jun 21, 2010 at 9:48 AM, Steve Szafran <sszafran@shorelinewa.gov> wrote:

Yes, the risk assessment looked at the uses at the Health Lab and how those uses would be contained if an emergency occurred. Air was one of the primary studies that occurred in that report.

I haven't issued any SEPA Determination yet. I'm still evaluating three things: traffic, safety and stormwater. The City's traffic engineer, Rich Meredith, has indicated traffic impacts from the master plan are minimal over the next 20 years and I have a meeting with the City's stormwater engineer to go over some other issues with the site. The only reason I would require an EIS is if there is an impact that cannot be mitigated through SEPA or by adding additional conditions to the master plan.

-----Original Message-----

From: Ken Winnick [mailto:kbwinnick@gmail.com]
Sent: Monday, June 21, 2010 9:41 AM
To: Steve Szafran
Subject: Re: public health lab @ fircrest

Hi Steve,

Thanks for the report, I'll have a look. By the "risk/hazard" study, are you referring to an air study?

Is the development proceeding without an EIS?

Thanks,

Ken Winnick

On Mon, Jun 21, 2010 at 9:16 AM, Steve Szafran <sszafran@shorelinewa.gov> wrote:

Thanks for your email.

Yes, air and traffic studies have been completed. Although it is too late to submit comments on the SEPA determination, it is not too late to submit comments about the Health Lab's Master Plan. Please take a look at the traffic report and send me a response. In the meantime, I will track down the risk/hazard study that was completed and send you that as well.

-----Original Message-----

From: Ken Winnick [<mailto:kbwinnick@gmail.com>]

Sent: Sunday, June 20, 2010 3:53 PM

To:

Brian Lee; Steve Szafran

Cc: CECILY KAPLAN; janetway

Subject: Re: public health lab @ fircrest

Hi,

I recently noticed the info board at the public health lab. The comment period appears to be over, but I think it was only open for 1 or 2 weeks based on the dates of the announcements on the board.

These Minutes Approved
September 16th 2010

CITY OF SHORELINE

SHORELINE PLANNING COMMISSION MINUTES OF REGULAR MEETING

August 19, 2010
7:21 P.M.

Shoreline City Hall
Council Chamber

Commissioners Present

Chair Wagner
Vice Chair Perkowski
Commissioner Esselman
Commissioner Kaje
Commissioner Moss

Commissioners Absent

Commissioner Broili
Commissioner Behrens

Staff Present

Joe Tovar, Director, Planning & Development Services
Steve Cohn, Senior Planner, Planning & Development Services
Paul Cohen, Senior Planner, Planning & Development Services
Steve Szafran, Planner, Planning & Development Services
Flannery Collins, Assistant City Attorney
Jessica Simulcik Smith, Planning Commission Clerk

CALL TO ORDER

Chair Wagner called the regular meeting of the Shoreline Planning Commission to order at 7:21 p.m.

ROLL CALL

Upon roll call by the Commission Clerk the following Commissioners were present: Chair Wagner, Vice Chair Perkowski and Commissioners Esselman, Kaje and Moss. Commissioners Broili and Behrens were absent.

APPROVAL OF AGENDA

The agenda was accepted as presented.

DIRECTOR'S COMMENTS

There were no Director's comments during this portion of the meeting.

APPROVAL OF MINUTES

The minutes of July 15, 2010 were approved as drafted.

GENERAL PUBLIC COMMENT

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

QUASI-JUDICIAL PUBLIC HEARING ON PUBLIC HEALTH LABORATORIES (PHL) COMPREHENSIVE PLAN AMENDMENT AND REZONE AND MDP (MDP)

Chair Wagner reviewed the rules and procedures for the public hearing. She also reminded the Commissioners of the Appearance of Fairness Rules, which require Commissioners to disclose any communications they have received about the subject of the hearing outside of the hearing (ex parte communications). She opened the public hearing and invited all those who wanted to testify to swear or affirm that the testimony they give will be the truth. She also invited Commissioners to disclose ex parte communications, and none were identified.

Staff Overview and Presentation of Preliminary Staff Recommendation

Mr. Szafran presented the Staff Report. He advised that the hearing is related to the PHL's Comprehensive Plan amendment, rezone and Master Development Plan. He explained that the three applications have been condensed into one public hearing, and testimony can be on any one of the applications. He provided a Comprehensive Plan Map and explained that the site is designated "Campus." The adjacent parcels to the west, north and east have land use designations of "Campus," as well. Most parcels to the south, across Northeast 150th Street, have a land use designation of "Low-Density Residential." There are "High-Density Residential" and "Commercial" parcels on the south side of Northeast 150th Street adjacent to 15th Avenue Northeast.

Mr. Szafran referred to the zoning map and explained that the PHL Campus was rezoned to Public Health Lab Campus Zone (PHZ), but the adjacent parcel to the west, north and east is zoned Fircrest Campus Zone (FCZ) and is developed with the Fircrest School. Most parcels to the south are zoned R-6 and developed with single-family homes. Directly across Northeast 150th Street are parcels zoned R-18, and to the west of these are parcels zoned R-48 and Neighborhood Business (NB). Properties along 15th Avenue Northeast are zoned R-48, Office, and R-12.

Mr. Szafran provided an aerial photo of the existing site, as well as some site photos to oriented the Commission to the site. He noted that much of the campus is open space. He explained that the Health Lab submitted an application in October of 2009, and the City issued a notice of application in May of 2010. A State Environmental Policy Act (SEPA) Determination of Non-Significance (DNS) was issued in July of 2010, and a notice of public hearing was issued the end of July. He reviewed the three actions that are currently under consideration as follows:

- **Comprehensive Plan Amendment:** In order to have sufficient acreage to develop under the MDP, the PHL is proposing a Comprehensive Plan Amendment to modify LU 43 to change the campus area from a 7-acre site to a 12-acre site.
- **Rezone:** In conjunction with the Comprehensive Plan amendment, the PHL is proposing to take five acres from the FCZ and add it to the PHZ to make an approximately 12.6-acre parcel.
- **Master Development Plan (MDP):** The PHL has submitted a MDP to guide the future growth of the campus for the next 15-20 years.

Applicant Testimony

Steve Southerland, Johnson Southerland, Principle Architect, explained that the PHL's mission is to protect and improve the health of the people in Washington State. The Department of Health works through the local health agencies to identify, contain and maintain communicable diseases and environmental threats to health. Their activities include testing related to infectious diseases, communicable diseases, genetic conditions that might affect newborn children and environmental health concerns. The laboratory, itself, has three operational units: public health microbiology, environmental laboratory sciences, and newborn screening. There are two supporting units: the training department and quality and safety assurance. He reviewed each of the units as follows:

- **Communicable Disease Microbiology.** This unit is responsible for doing testing for a number of diseases that can be transmitted from one human being to another or from animals to humans. Many of these conditions require mandatory reporting if someone has them to make sure they do not spread. Primarily, they do not work directly with patients, but they serve other providers such as physicians, hospitals, clinics and local health jurisdictions. Their testing is clinical in nature, and they are not a research facility. They are known as a reference laboratory, which means they serve as a way to validate and deal with the more difficult cases that hospitals and or other laboratories might have difficulty with.
- **Environmental Laboratory Sciences.** This unit is responsible for things that are outside of an individual person, but could impact them if they were ingested or if they came into contact with them. These include water, soil, air, food, parasitology, Hanford Nuclear Reservation, and chemical emergency response.
- **Newborn Screening Laboratory.** This unit is very advanced and does more than 4 million tests a year. There are 25 different disorders that are genetically transmitted to newborn children. While many of them are relatively rare, they have devastating effects when they occur. It is important to catch them within a matter of days so the appropriate actions can be taken to prevent damage to the child's development. They also do a very active follow-up program with any child who has a positive result so parents and physicians can take appropriate action.

Mr. Southerland explained that, at this time, the laboratory is at capacity. The facility was constructed approximately 25 years ago, and was originally designed for 75 people. They now have 145 employees. They recognize the need to integrate their plans with the City's need for long-range planning and permitting. In addition, they need to plan their own activities based on the growing need for laboratory

services in the future. They would also like to manage the uncertainty associated with the Fircrest Campus infrastructure. The laboratory is the only capital building the Department of Health owns. Their remaining spaces are leased.

Mr. Southerland advised that the PHL began the MDP process about four years ago. Their staff has been very involved in visioning what their future needs are, and they have solicited input from external groups within the local community, as well. They also brought in nationwide experts to help them understand what their needs might be from a scientific and laboratory standpoint. The current draft proposal was completed about one year ago.

Terry Williams, Department of Health, Architect, advised that two of the most applicable goals of the planning process was to determine the space needed to accommodate growth and consolidation for the Department of Health Divisions and to develop a vision plan that fits into the Fircrest Master Plan and meets the Shoreline community's needs. He explained that the following workshops were conducted:

- The first workshop included detailed interviews with key individuals from each of the laboratory sections, which allowed them to capture the head and space counts for each type of laboratory space. Each laboratory section summarized the things in the building that were not meeting their needs and identified the types of space and technology they may need in the future.
- At the second workshop, their consultants formalized the information that was gathered at the first workshop. They presented a site analysis to key Department of Health staff, as well as 14 first-thought scenarios where they could possibly expand.
- At a science gazing symposium, the consultants brought in state public health lab directors from Utah, Iowa and one other state to provide presentations on cutting-edge diagnostic laboratory equipment, technology, environmental and sustainable design, and other issues that may impact future laboratory design.
- At the third planning workshop the information that had been gathered and the assumptions made on the space allocations and sizes needed in the future were validated. The consultants presented opportunities for maximizing energy efficiency, such as getting away from being dependent on the Fircrest Campus utilities. Four scenarios from the plans that were presented in the previous workshop were selected for further study.
- In the fourth workshop the consultants made a presentation of the four scenarios, utility concepts, and the building systems. They also provided some cost models for the different scenarios.

Mr. Williams advised that they reviewed the following site considerations:

- **Site Configuration.** The current property is L-shaped, and they would like to expand an additional five acres.
- **Building Configuration.** The building runs linear north to south, with wings running east and west.
- **Vehicular Access, Circulation and Parking.** They had to review how the expansion of the buildings would impact vehicular access, circulation and parking.

- **Site Topography and Vegetation.** The photographs in the Staff Report illustrate that there are a lot of trees along Northeast 150th Street and the site slopes ever so slightly from the northwest to the southeast.

Mr. Williams explained that providing adequate space for expansion and parking was their first consideration when reviewing options for site expansion. They also wanted to be compatible with the Fircrest Master Plan design. In addition, they wanted to meet the needs of the Shoreline community. They knew that numerous ideas had been expressed by the community regarding what they would like to see at the site. A Community Liaison Panel, made up of people from community groups and individuals from Shoreline public agencies, meets quarterly to talk about what is going on at the lab. Two public meetings were also held. The public provided significant input regarding building mass, height and location. They also provided input regarding construction materials and aesthetics, as well as landscaping that includes trails going through the property. Sustainability, traffic control and public transit are very important to the community. Those who attended the public meeting indicated they were hoping more transit service would be provided to the site.

Mr. Southerland provided an overview of the MDP and reviewed the goals as follows:

- Develop a long-term needs assessment for the laboratory and a roadmap for the next 20 years of growth.
- Determine space needed to accommodate growth and consolidation of Department of Health Divisions.
- Create a basis for long-term budget planning for future projects.
- Ensure a safe and secure campus.
- Develop a vision plan which fits into the Fircrest Master Plan and Shoreline community needs.
- Separate and clarify property ownership to address Shoreline planning requirements. Currently, the property is in the process of being owned by the Department of Health, which will require a transfer between various agencies.
- Ensure long-term viability by providing direct utility connections for Department of Health property and facilities. Right now the property obtains utility service from the Fircrest Campus, which was developed during World War II. Sometimes, the utilities are less than reliable. The intent is to reconnect the Department of Health facilities directly to the utilities out in the right-of-way.

Mr. Southerland pointed out that the property is located at Northeast 150th Street and 15th Avenue Northeast in the southeast corner of Shoreline. The Fircrest Campus and Hamlin Park are located to the north of the property and South Woods Park and the high school are located to the east. The site is surrounded by properties owned by the Department of Social and Health Services (DSHS) and the Department of Natural Resources (DNR). The Food Lifeline Warehouse that is located on the same property as the PHL will remain as part of the MDP. He advised that they are proposing to expand the Department of Health's property to approximately 12 acres.

Mr. Southerland said the process included a review of their existing space and facilities and their projected needs over the next 20 years. He referred to a chart that was prepared to illustrate this analysis. He summarized that there are currently 143 employees on site, and it is projected this would increase to

about 336 over a 20-year period. The existing gross area of the building is about 72,000 square feet, and this would increase to about 164,000 square feet during the planning period.

Mr. Southerland emphasized that a key element of their planning process was to link in with the Fircrest MDP, which envisions a boulevard entry off Northeast 150th Street. The current proposal is to link in with this. The entries would be consolidated to one location. In addition, a number of pedestrian trails have been suggested in the Fircrest MDP, and the current proposal would link into these systems to provide additional public access. He referred to a map of the proposed MDP and specifically noted the following elements:

- Parking was reconfigured to the south and north.
- Boulevards that link to the parking areas would be provided along the east edge of the site.
- Food Lifeline would maintain their truck access, and there would be access to a two-story parking garage in the northeast corner.
- A controlled access driveway would be provided at the center of the property for deliveries of materials and specimens.
- A main pedestrian access would be provided in the middle of campus between a possible transit stop and a public center space, which would be adjacent to a public meeting room.
- A main entry plaza is proposed in the southeast corner between the parking area and the building.

Mr. Southerland used a three-dimensional diagram to provide a sense of the height and types of buildings that are being proposed. He noted that the laboratory buildings to the south would be one-story. These are new laboratory wings that will be constructed over top of where some of the existing labs are located. Some wings would also be added on to the north. The front two wings to the south would have penthouses so heights would be roughly 30 to 35 feet. Over the L-shaped building, a three-story office building would be built, with possibly a small penthouse for mechanical equipment. This building would range from 45 to 50 feet in height. Towards the back of the site is a parking garage, with one tier above grade. The rest of the parking would be at-grade parking located to the south and accessible from the boulevard to the east.

Mr. Southerland explained that the Master Development includes the following phases:

- Phase 1 would be the N Wing Addition for the Newborn Screening Laboratory. Laboratory and storage space would be added. It would also include more administration meeting space, which they currently lack.
- Phase 2 would be the East Elevation Addition, which includes additions to the mechanical room. They will begin to redo some of the utilities on the site so it all comes into a larger mechanical space. The red wing on the south is an extension of the circulation, storage and loading dock support services.
- Phase 3 would be the Administration Building. It includes construction of a new 3-story Administration Building, a new parking area to the south and the lower tier of the parking area to the north, a campus drive and loading access drive, site amenities, pedestrian paths and links, and a training lab.

- Phase 4 would be the South Wing Additions. This includes demolition of the existing south wings. They would be replaced with two new laboratory wings.
- Phase 5 would be a new office building. This would be a three-story office building to provide space for the Epidemiology Department, which current comes from Kent. It also includes construction of the upper tier of the new parking garage to the north and a remodel of the E and C Wings.

Mr. Southerland reviewed the PHL worked with staff and the neighborhood to create the proposed zoning requirements for setbacks, heights, lot coverage, parking etc. They also worked with staff and the community to address site design issues. A tree study was conducted, identifying about 280 trees on site. Only about 40 of the existing trees would have to be removed to accommodate the proposed plan, and the proposal is to put back even more trees than the number removed. Their goal is to maintain the green site, which is important to the neighborhood. The proposed materials and design are intended to be neighborhood friendly. While it is important for the structures to be easily identifiable, it was also important to the adjacent neighborhoods to maintain the low-scale design.

Mr. Southerland advised that a traffic analysis was conducted, which indicated there would be about 750 additional trips at the end of the 20-year planning period. However, all adjacent intersections would continue to meet the City's standard for level of service. The consultant also estimated that approximately 400 vehicles would require parking at the end of the 20-year cycle of development, and the proposed new parking areas would accommodate this need based on the proposed parking ratios of one parking space per 500 square feet of laboratory and one parking space per 300 square feet of office space. The intent is that there would be no parking overflow into the neighborhoods.

Mr. Southerland reported that their civil consultant developed a stormwater management plan for all the various phases, which meets all the state and local code requirements. Their stipulation was that the off flow site would not exceed the historic forested conditions required by the state. The planning document shows a number of ways to accomplish this goal such bio-filtration, on-grade detention, rain gardens, green roofs, and pervious pavements. There would also likely be some underground detention structures.

Mr. Southerland said they also studied how each of the utilities could be reconnect to service that is available on Northeast 150th Street. They plan to disconnect from the stormwater and sewer mains that flow from the Fircrest Campus through the subject property and create their own stormwater and sewer connections to Northeast 150th Street. At this time the site is served by an electrical substation located to the north, and a main feeder comes through the Fircrest Campus. They will work with the local utility company to develop plans for a new substation on Northeast 150th Street that would serve the subject site directly. The gas line also comes from the north. The plan is to consolidated the lines on the subject property and connect to the main at Northeast 150th Street. They also receive steam for heating from the Fircrest Campus, which is a very old system. They plan to disconnect from this service and provide new boilers on the subject property for their own heating system. A loop system would be created around the site to provide fire and water service to the property.

Mr. Szafran pointed out that the Staff Report addresses how the proposal meets the Comprehensive Plan amendment criteria, the rezone criteria, and the MDP criteria. He summarized that staff believes the

proposal meets all of the required criteria, and they are recommending approval with the mitigation proposed in the Staff Report.

Questions by Commission to Staff and Applicant

Commissioner Kaje requested clarification about the proposed new electrical substation. Mr. Southerland said that, at this time, the PHL is served by a single substation located at the north end of the Fircrest Campus. It flows through the Fircrest Campus to serve the subject property, as well as several other properties. The line and substation are older and when there is an outage in another building, it can affect their building as well. The intent is to disconnect to this feeder and place a new substation (underground vault) on Northeast 150th Street that can directly serve the subject property.

Chair Wagner recalled the applicant stated that about 40 significant trees would be removed. However, Item 65 on Page 116 of the Commission packet states that there are 319 significant trees and 119 are proposed to be removed over the 20-year period. Mr. Southerland said their tree count did not identify which trees are significant. Mr. Szafran said he counted every tree that was mapped, as well as those that would be removed. Mr. Southerland agreed to provide more information to staff about significant trees. He noted that a tree study would be done for each phase of the project. The footprint of the buildings may change somewhat, and this could impact the number of trees that are removed.

Vice Chair Perkowski referred to the discussion about safety impacts on Pages 110 and 111 of the Commission packet. He request additional information about the current Level 3 Bio-Safety Designation of three and what it would mean if it were changed to a Level 4 designation. **Dr. Romesh Gautam, Public Health Lab Director**, explained that they have absolutely no plan to develop a Bio-Safety Level 4 laboratory, which is the level of the Center for Disease Control, the military facilities, or the National Center for Health. It is not feasible to think about going to a Level 4.

Commissioner Esselman asked if the applicant has obtained a commitment from the utility that they would allow them to add an additional vault. Mr. Southerland said they have met with the utility company, but they need an actual project proposal before they can make a formal commitment. At this time, the MDP is a vision plan. They did assure the applicant that the new electrical vault would be possible.

Commissioner Esselman said that although the studies indicate there would be no significant impact to the adjacent neighborhood, she is concerned about consolidating the access point that empties out onto the mid block of Northeast 150th Street. She asked how much of the Fircrest Campus would gain access from this location. Mr. Southerland responded that the Fircrest MDP identifies new access points on 15th Avenue Northeast, so not all of their traffic would come through the boulevard. Mr. Szafran said this access was reviewed as part of the traffic plan. Because of the circuitous route, the traffic volume generated by the Fircrest Campus would be very small.

Chair Wagner asked how many new trees would be planted on the site to accommodate for the significant trees that are removed. Mr. Southerland answered that this count would not be done until they create a full-scale design.

Chair Wagner questioned if the Commission could make a recommendation related to property that is not actually owned by the applicant. Mr. Williams said a binding site plan has been recorded with King County, and it encompasses the 12.5 acres proposed in the plan. They are currently going through negotiations with DSHS, but the process is moving slowly. Ms. Collins explained that an applicant cannot obtain a rezone for property they do not own, but she assumes DSHS is participating in the process and has approved the applicant to move forward. Mr. Cohn agreed that is the situation.

Chair Wagner recognized that the proposed MDP is a conceptual design. She asked if the proposed design would allow for future expansion of the Administration Building to go up rather than out, if necessary in the future. She asked if laboratories are required to be only one story. Mr. Southerland said the proposed zoning would limit the height to 65 feet, and nothing would preclude an office building that is up to four stories within the proposed envelope. Laboratories of two or more stories are possible, they are difficult and costly because of utility requirements, the height of the penthouses, etc. He emphasized that the proposed design reflects the projected needs over the next 20 years. Mr. Szafran added that the MDP assumes a certain number of vehicle trips, which equates to a maximum number of square footage. While this could be varied slightly, any modification would require an amendment to the MDP. Chair Wagner said her thought was that if they plan for being able to expand up and architecturally allow for it, future expansion could be less expensive and result in a more environmentally-friendly footprint.

Vice Chair Perkowski asked staff to explain how they analyzed Rezone Criterion 2. He observed that there is no doubt that the PHL has benefits to the public. However, he felt this criterion focuses on the external impacts to the neighborhoods such as transportation, air quality, water quality, etc. Mr. Cohn said that because this is a general criterion, staff tends to address it very generally. In this case, the actual use has a very specific benefit to the public. He suggested the Commission could provide substitute wording in their findings.

Commissioner Kaje noted that in prior rezones, the Commission has been asked to be very mindful that they are not actually judging an application on the basis of a specific use that has been proposed. They are supposed to judge the rezone and based on the types of impacts it may have. He agreed with Vice Chair Perkowski that staff's response speaks to the function of the organization that is proposing the rezone, which is not really the point of the criterion. Mr. Cohn said that since the proposed rezone is to a PHL zone, the use is already spelled out. If the Commission desires, it could add to their response as part of the findings. Mr. Szafran said that since the rezone is consolidated with the plan, this same criterion is addressed in greater detail elsewhere in the Staff Report.

Commissioner Moss referred to Table 5 on Attachment 8 of the Staff Report (Pages 165 through 167 of the Commission packet), and noted that the design criteria was not achieved in some areas. She requested more information about what that means. Mr. Williams replied that Attachment 8 provides the results from an air entrainment study that was done for the proposal and explained that the percent of time that the design criteria may be exceeded is very low. He referred to Table ES-2 in Attachment 8 (Pages 158 and 159 of the Commission Packet) which further describes the surrounding exhaust sources and identifies mitigation when the design criteria cannot be achieved. Mr. Szafran noted that the mitigation measures were added as conditions of the conditional use permit that was approved for the lab

addition in 2008. Mr. Williams clarified that the applicant must already meet the conditions as part of the occupancy permit for the addition.

Chair Wagner noted a condition was included in the MDP to require updated air quality studies (Item 70 on Page 118 of the Commission Packet). Mr. Williams said every building that is constructed on the site would require an air entrainment study. Mr. Southerland clarified that in addition to analyzing where the building receives air and where air comes out, the study also looks at the surrounding neighborhood. The only categories that did not meet the criteria were the applicant's own receptors on the buildings, and they are going through mitigation studies to correct these problems. All of the neighborhood receptors met the design criteria.

Vice Chair Perkowski referred to Page 153 of the Commission packet, which is the Risk and Safety Assessment (Attachment 7). The last paragraph states that the current version of the Emergency Response Plan had several missing, incomplete or inconsistent sections. It also states that the response plan does not provide adequate protection, and then it lists modifications that need to be made. Williams said they are working on the modifications, which must be finished before they receive an occupancy permit for the addition they are currently constructing. Vice Chair Perkowski asked if nearby facilities and the community would be involved in the preparation of the Emergency Response Plan. Mr. Williams answered affirmatively and added that parts of the plan have already been done.

Robert Soldier, Public Health Lab Assistant Director, reported that in April, all of the Shoreline Fire Department visited the laboratory and gave their input on how they would operate in the case of an emergency. In addition, the applicant has had conversations with their emergency responders on how they would access various locations in the lab. Vice Chair Perkowski asked if the first responders assigned to the PHL would need to be specially trained for the specific situations that might occur. Mr. Soldier answered that they do not provide them with any special training because they have already been specially trained to work in hazardous environments, but it is important that they know the specific hazards that exist in the lab. Vice Chair Perkowski asked if situations could occur at the lab that overwhelm the capacity of first responders in the area. If so, is this concern addressed in the Emergency Response Plan? Mr. Soldier explained that the laboratory staff will take care of situations that involve particular skills, so the Fire Department does not need to have those skills.

Vice Chair Perkowski asked staff if they believe the laboratory is adequately qualified to conclude that all of the modifications identified in Attachment 7 have been completed. Mr. Szafran said the Fire Department must approve the Emergency Response Plan before a Certificate of Occupancy would be issued for the new addition. Vice Chair Perkowski said he is concerned about biological hazards, and the Fire Department may not have the required expertise. Staff agreed to provide more information to address this concern.

Commissioner Moss recalled from a previous meeting that people can occupy a building temporarily with a temporary rather than a formal Certificate of Occupancy. She questioned how biohazards, etc. would be addressed during temporary occupancy to ensure the safety of the workers and the community. Mr. Szafran agreed to obtain feedback from the Building Official as to how the temporary occupancy permit process works.

Public Testimony

Jim Hardman, Seattle, said he is the president of Friends of Fircrest. He is also the guardian of about two dozen people who live at Fircrest. He noted that Friends of Fircrest is a stakeholder in the proposed MDP, and they have been at the table with the Department of Health since the inception of the safety and risk assessment process. He explained that the assessment started off with a few glitches, which were addressed to the satisfaction of Friends of Fircrest as the process went along. His concern is for the safety of the residents at Fircrest, and he is convinced that the PHL would be safe for them. Their concerns were taken into consideration and very adequately addressed during the planning process.

Mr. Hardman said the north parking area, including the raised parking, would be a stone's throw from living units on the Fircrest Campus, and he had concerns about traffic and lighting. The concerns were addressed adequately. They believe the impact on the residents would be very slight and not negative. Friends of Fircrest is prepared to endorse the process because they believe the residents would be well served by the Department of Health's presence in the area.

Bill Bear, Shoreline, said that at the time of the initial plan for the lab, he was director of the Briarcrest Neighborhood Association. He has been very involved for many years in looking at development and its potential harmful impacts to the neighborhood. Through the process of the Safety and Risk Assessment, the applicant very diligent to make sure that people working at the facility, as well as people in the community, would have assurance of their health and safety being protected. It is not lightly that he says he would feel safer in the PHL while they are working than crossing Northeast 145th Street and 15th Avenue Northeast. The reason for the BSL-3 designation has to do with the nature of the material and the generalization of rules for safety; but the quantities of materials are very, very small, and the procedures are safe. He summarized that risk and safety experts evaluated all of the activities that take place on the site.

Mr. Bear said he is very enthused about the way the whole process was conducted. He thinks taking the neighborhood and community needs into account from the beginning of the difficult process was instrumental in people feeling comfortable with the proposal. The Briarcrest Neighborhood Association supports the proposal as presented.

Final Questions by the Commission

None of the Commissioners had additional questions during this portion of the hearing.

Deliberations

COMMISSIONER KAJE MOVED THAT THE COMMISSION RECOMMEND APPROVAL OF THE COMPREHENSIVE PLAN AMENDMENT AS PROPOSED BASED ON STAFF'S ANALYSIS OF THE COMPREHENSIVE PLAN AMENDMENT CRITERIA ON PAGE 112 OF THE COMMISSION PACKET. AS PROPOSED LU 43 WOULD READ IN PART:

- **THE FIRCREST CAMPUS IS AN APPROXIMATELY 78 ACRE SITE.**

- **PUBLIC HEALTH LABORATORY CAMPUS: AN APPROXIMATELY 12.6 ACRE SITE.**

VICE CHAIR PERKOWSKI SECONDED THE MOTION.

Commissioner Kaje said the transfer of the property to become part of the Public Health Lab portion had been clearly addressed in the *Initial Findings, Conclusions and Recommendation*.

Chair Wagner reviewed the Comprehensive Plan Amendment Criteria as follows:

- **Criterion 1.** *Is the amendment is consistent with the Growth Management Act and not inconsistent with the Countywide Planning Policies, and the other provisions of the Comprehensive Plan and City policies?* Staff has determined that the amendment is consistent with the Growth Management Act and would provide more employment opportunities to meet the economic development goals of the City. It would also encourage development in an urban area where adequate public facilities exist.
- **Criterion 2.** *Does the amendment address changing circumstances, changing community values, incorporate a subarea plan consistent with the Comprehensive Plan vision or corrects information contained in the Comprehensive Plan?* Staff has determined that the amendment addresses changing circumstances. At one time, it was thought that a Fircrest-related use might expand onto this property. Now the State has concluded that Fircrest-related activities will not require use of this property which frees it to be used by another State facility.
- **Criterion 3:** *Will the amendment benefit the community as a whole and not adversely affect community facilities, the public health, safety or general welfare?* Staff determined that the community would benefit if the PHL expands in order to fulfill its mission as a BSL-3 facility. The Comprehensive Plan limits development of the site to those uses required at a BSL-3 facility, which, according to the State's analysis, will not adversely affect the nearby Fircrest facilities or the public's health, safety or general welfare.

THE MOTION CARRIED UNANIMOUSLY.

COMMISSIONER KAJE MOVED THAT THE COMMISSION RECOMMEND APPROVAL OF THE PROPOSED REZONE OF THOSE SAME FIVE ACRES FROM FIRCREST ZONE (FCZ) TO PUBLIC HEALTH ZONE (PHZ) BASED ON STAFF'S ANALYSIS OF THE REZONE CRITERIA ON PAGES 112 AND 113 OF THE COMMISSION PACKET. COMMISSIONER ESSELMAN SECONDED THE MOTION.

Commissioner Kaje reviewed the rezone criteria as follows:

- **Criterion 1.** *Is the rezone consistent with the Comprehensive Plan?* Given the Comprehensive Plan designation of "Campus," there is no question about whether or not the rezone would be consistent with the Comprehensive Plan.

- **Criterion 2.** *Will the rezone adversely affect the public health, safety or general welfare?* Based on the record and the materials presented, he has no concerns that the public health, safety or general welfare would be affected.
- **Criterion 3.** *Is the rezone warranted in order to achieve consistency with the Comprehensive Plan?* The rezone follows directly from the amendment previously approved for the Comprehensive Plan.
- **Criterion 4.** *Will the rezone be materially detrimental to uses or property in the immediate vicinity of the subject rezone?* The Commission heard that the Fircrest Campus, the closest neighbor to the subject property, indicating they are satisfied that safety issues have been addressed. In addition, the PHL has been thoughtful about what Fircrest is doing with their master plan related to trails and coordinating access. He does not see anything about the proposal that would suggest significant or notable impacts on other neighbors.
- **Criterion 5.** *Will the rezone have merit and value for the community?* This is a very valuable facility to begin with. It is always good to have additional jobs in the community, as well. This is the type of facility they want to keep in the community, and it is in a place where there is room for it to grow.

Chair Wagner referred to Criterion 2 and recalled the concerns raised by Vice Chair Perkowski regarding the Emergency Response Plan and the Safety and Risk Assessment. There was some indication that the applicant had done some analysis on fire response to chemical incidents, and the lab had a lower incidence of required responses for safety concerns. It is important to indicate there is already interaction and that the PHL is working with the Fire Department. They are responding to various types of incidents at the lab already. This gives her additional reason to believe that Vice Chair Perkowski's concerns would be adequately addressed by the Fire Department.

Commissioner Moss referred to the list of modifications that must be made to the Emergency Response Plan (Page 154 of the Commission Packet), and she assumes that because this list of modifications was included as part of the MDP proposal, the City would ensure that the changes occur. Mr. Szafran agreed.

THE MOTION CARRIED UNANIMOUSLY.

Commissioner Kaje referred Finding 59 on Page 115 of the Commission Packet, which states that, "in order to more fully meet Criterion 4, the Planning Commission finds the following condition shall be added to the MDP: An updated air quality study shall be submitted and approved with each successive permit for addition to the laboratory building." He asked for clarification since the Commission has not yet made any specific findings regarding the MDP. Mr. Cohn explained that staff is recommending the Commission add this condition. Chair Wagner added that the other conditions were proposed by the applicant, and this one was proposed by staff. Ms. Collins further explained that staff prepared the proposed findings, recommendations and conclusions so the draft report was ready for the Commission to sign and forward to the City Council. However, she acknowledged that the Commission could make changes to the draft proposal, as well.

Vice Chair Perkowski referenced Finding 69 related to the MDP Criterion 8, which states that the PHL's Risk and Safety Assessment indicates the lab is in compliance with applicable regulations that protect laboratory workers and the community. He suggested language should be added to require the applicant to address all of the Emergency Response Plan modifications listed on Page 154 of the Commission Packet.

COMMISSIONER KAJE MOVED THE COMMISSION APPROVE THE MASTER DEVELOPMENT PLAN PERMIT AS PROPOSED, INCLUDING THE CONDITION PROPOSED BY STAFF REGARDING THE AIR QUALITY STUDY AT EACH SUCCESSIVE PERMIT FOR THE LABORATORY BUILDING. COMMISSIONER MOSS SECONDED THE MOTION.

Commissioner Kaje reviewed the Master Development Plan Criteria as follows:

- **Criterion 1:** *The project is designated as either campus or essential public facility in the Comprehensive Plan and Development Code and is consistent with goals and policies of the Comprehensive Plan.* As stated in the report, it is very clear the property is designated as a PHL Zone, so this criterion would be met.
- **Criterion 2:** *The master development plan includes a general phasing timeline of development and associated mitigation.* The Commission was provided with a phasing table, and they also heard in the presentation that, at times, State facilities take an extended period to construct. The proposed 20-year phasing for the project appears to be reasonable.
- **Criterion 3:** *The master development plan meets or exceeds the current regulations for critical areas if critical areas are present.* To the Commission's knowledge based on the information they have been given, there are no critical areas present on the PHL Campus.
- **Criterion 4:** *The proposed development uses innovative, aesthetic, energy efficient and environmentally sustainable architecture and site design (including low impact development stormwater systems and substantial tree retention) to mitigate impacts to the surrounding neighborhoods.* The reports provided show that future development would be guided by sustainable design, and they have been informed in the report that the State of Washington requires LEED Construction for all structures over \$5 million. They have also heard in the presentation about integration of some innovative stormwater management systems, etc. In addition, based on the City's code, all stormwater improvements must be in accordance with the 2005 Department of Ecology Manual. As the Commission has discussed in the past, modern stormwater controls often lead to a better outcome even if the footprint is expanded. There is some lack of clarity on exactly how many trees would be retained, and it would be good for the record to make this clear. While the actual report identified a larger number of trees lost than what was stated by the applicant, it by far exceeds the code requirements. It appears the applicant would attempt to retain as many significant trees as possible. He appreciates this since trees are an important part of the City's identity. He specifically referred to Finding 59, which would be a recommendation from the Planning Commission that an updated air quality study shall be submitted and approved with each successive permit for addition to the laboratory building.

- **Criterion 5:** *There is either sufficient capacity or infrastructure (e.g., roads, sidewalks, bike lanes) in the transportation system (motorized and nonmotorized) to safely support the development proposed in all future phases or there will be adequate capacity and infrastructure by the time each phase of development is completed. If capacity or infrastructure must be increased to support the proposed master development plan, then the applicant must identify a plan for funding their proportionate share of the improvements.* The transportation impact analysis suggested there would be no change in the level of service. It provided estimates of the number of vehicle trips per day. He noted the Commission had a few questions about whether the traffic from both the Fircrest and PHL Campuses would be channeled onto Northeast 150th Street, and they heard that is not the case. The Fircrest Master Plan would continue to identify access from 15th Avenue Northeast. In addition, the Commission read in the proposal that there would be some improvements to sidewalk sections on Northeast 150th Street. Based on the information provided, the Commission believes that Criterion 5 would be met.
- **Criterion 6:** *There is either sufficient capacity within public services such as water, sewer and stormwater to adequately serve the development proposal in all future phases, or there will be adequate capacity available by the time each phase of development is completed. If capacity must be increased to support the proposed master development plan, then the applicant must identify a plan for funding their proportionate share of the improvements.* The Commission heard from the applicant that there is sufficient capacity, and they have heard they are addressing some stormwater needs and changing the way that stormwater leaves the site. Their proposed plans sound sensible, and there appears to be no issue about capacity with water or sewer. They would upgrade some of their plumbing, which is a good idea for aging infrastructure.
- **Criterion 7:** *The master development plan proposal contains architectural design (including but not limited to building setbacks, insets, facade breaks, roofline variations) and site design standards, landscaping, provisions for open space and/or recreation areas, retention of significant trees, parking/traffic management and multimodal transportation standards that minimize conflicts and create transitions between the proposal site and adjacent neighborhoods and between institutional uses and residential uses.* He is pleased that trails would be provided for both the Fircrest residents and others to use. The Commission had some questions about the exact number of trees that would be retained, and these numbers should be clarified in the final report to the City Council. Regarding vehicular access, the Commission was not provided any information to suggest the plan would create a conflict with surrounding neighborhoods.
- **Criterion 8:** *The applicant shall demonstrate that proposed industrial, commercial or laboratory uses will be safe for the surrounding neighborhood and for other uses on the campus.* The Commission has been provided some safety studies, and they heard from a resident who participated in the processes that there has been great attention to safety for the Fircrest residents and the neighborhood as a whole. He is confident the proposal meets Criterion 8.

Commissioner Moss reminded the Commission of their desire to add language to Finding 69 on Page 117 of the Commission packet that requires the applicant to come up with a specific plan to implement the Emergency Response Plan modifications listed on Page 154 of the Commission packet. She recognized that some of the modifications may have already been addressed. However, it is important to make sure that the Risk and Safety Assessment is repeated whenever there is an expansion or development. Mr. Cohn suggested Finding 69 be changed to read, "The PHL is not introducing any

changes in use on the campus and is consistent with the PHZ zoning land use matrix. Further, the Risk and Safety Assessment completed for the PHL proposes mitigations that are included in the plan and that, when implemented, will ensure that the PHL is in compliance with applicable regulations that protect laboratory workers and the community in which the laboratory operates.”

Commissioner Moss referred to Finding 55 on Page 115 of the Commission packet, which references the 2005 Department of Ecology Stormwater Manual. Given this is a project that would take place over a 20-year time period, she suggested the language reference the currently accepted standard at the time of permit. The Commission agreed to amend the first sentence of Finding 55 to read, “The City of Shoreline requires all stormwater improvements to be in accordance with the stormwater regulations in effect at the time of permit application.”

Chair Wagner referenced Finding 65 on Page 116 of the Commission packet and suggested that rather than identifying the specific number of trees that would be retained, the language should identify the percentage of trees that must be retained. She noted that Finding 58 on Page 115 of the Commission packet requires 62% tree retention. Mr. Cohn suggested that Finding 65 be deleted since tree retention is already addressed in Finding 58. Ms. Collins suggested it would also be important to include the sentence from Finding 65, which states that “the Shoreline Municipal Code requires 20% significant tree retention.” This would make it clear that the applicant would retain substantially more trees than the current code requires.

The Commission agreed that Finding 65 should be deleted and Finding 58 should be amended to read, “The proposal retains 62% of the significant trees on campus based on a survey submitted at the time of the first permit submittal. The Shoreline Municipal Code requires 20% significant tree retention. Retention of significant trees adds to LID measures to mitigate stormwater runoff and meets the intent of Decision Criterion 4.”

Commissioner Moss reminded the Commission that they are also in the process of reviewing the tree ordinance. Mr. Cohn clarified that, as currently proposed, this process would not affect Campus zones. If it is expanded to include Campus zones, the Commission would have additional discussion regarding the issue.

Chair Wagner suggested that Finding 59 on Page 115 of the Commission packet (related to the air quality study) be moved from Criterion 4 to Criterion 8. She explained that Criterion 4 relates to innovative, aesthetic, energy efficient and environmentally sustainable architecture, and Criterion 8 relates to safety for the surrounding neighborhoods. The Commission agreed that Finding 59 should be placed under Criterion 8.

Once again, the Commission discussed Finding 68 (formerly 69) on Page 117 of the Commission packet. Mr. Cohn explained that the applicant has indicated they would look at both the Risk and Safety Assessment and the Emergency Response Plan on a regular basis, at least every two years. He said the applicant is comfortable with the wording he suggested earlier.

Commissioner Esselman noted that the second sentence references the Risk and Safety Assessment document, and everything contained within that report would need to be in compliance. She suggested the assessment document be highlighted. She also suggested the applicant should be required to remain in compliance with subsequent recommendations and future risk and safety assessments. Chair Wagner raised concern that this type of requirement could be logistically challenging. Commissioner Esselman agreed she does not want the requirement to be an undue burden, but she wants to make sure they continue with the process. Ms. Collins pointed out that this is an additional condition that is being recommended by the Commission, and was not proposed by the applicant as part of the MPD Proposal.

The Commission agreed to change Finding 68 (formerly 69) to read, "The Public Health Lab is not introducing any changes in use on the campus and is consistent with the PHL zoning land use matrix. Further, the Risk and Safety Assessment completed for the PHL indicates the Lab is in compliance with applicable regulations that protect laboratory workers and the community in which the laboratory operates."

The Commission discussed potential amendments to new Finding 69 (formerly Finding 59). Commissioner Kaje suggested that before the applicant submits their first permit application, it is important to ensure that they are in full compliance with the Emergency Response Plan conditions outlined in the Risk and Safety Assessment. Chair Wagner observed that, ultimately, the applicant is in compliance. The list identifies recommendations for improvement, but the issues were not grossly concerning to the people who performed the assessment. If the issues had been considered significant, they would have shown up in the report as noncompliant. She concluded that only a few of the air quality standards were exceeded by a very minimal amount.

Commissioner Kaje pointed out that there are State and Federal Standards the applicant must meet. He questioned if it would be reasonable to require the applicant to conduct this type of assessment for each permit application. However, it would be reasonable to make sure that this one set of recommendations (Page 154 of the Commission Packet) has been followed through on completely. Beyond that, he suggested the Commission may be overstepping their purview.

Commissioner Moss questioned if the Commission would like to add language that requires an additional Safety and Risk Assessment at some point during the MDP's 20-year time span. She agreed it would not be appropriate to require a new study for each permit application. However, she is interested in ensuring the safety of the workers, the environment and the neighborhood as new things come to light without creating more reports and assessments than are warranted. Chair Wagner asked if the applicant would already be required to comply with a threshold for performing this type of assessment. Mr. Cohn said his understanding is that this is an on-going exercise every two years because the applicant knows it is very important. He also reminded the Board that the Commission would have another opportunity to review the MDP in 10 years. Commissioner Kaje suggested the City could direct the PHL to keep the City of the results of future risk assessments and any recommendations therein. Chair Wagner suggested a better approach would be to require the applicant to share the most current version of their risk assessment at the time of future permit applications.

The Commission agreed to change Finding 69 (formerly Finding 59) to read, "In order to more fully meet criterion 8, the Planning Commission finds the following conditions shall be added to the MDP: An updated air quality study shall be submitted and approved with each successive permit for addition to the laboratory building." They further agreed to add a second sentence to read, "The PHL must show full compliance with the Emergency Response Plan conditions contained in the risk and safety assessment dated November 21, 2008. The PHL will provide the City with the most current risk and safety assessments at the time of future permit applications."

COMMISSIONER KAJE MOVED TO AMEND HIS MOTION AS FOLLOWS: THAT THE COMMISSION RECOMMEND APPROVAL THE MASTER DEVELOPMENT PLAN PERMIT AS PRESENTED, WITH THE FOLLOWING MINOR CHANGES:

- Delete Finding 65 regarding significant trees because the issue is covered separately under Finding 59
- Move Finding 59 regarding an updated air quality study to under Criterion 8, which requires the applicant to demonstrate he proposed industrial, commercial or laboratory uses will be safe for the surrounding neighborhood and for the other uses on the campus.
- Finding 68 (formerly 69) would read, "The Public Health Lab is not introducing any changes in use on the campus and is consistent with the PHL zoning land use matrix. Further, the Risk and Safety Assessment completed for the PHL indicates the Lab is in compliance with applicable regulations that protect laboratory workers and the community in which the laboratory operates."
- Finding 69 (formerly Finding 59) would read, "In order to more fully meet Criterion 8, the Planning Commission finds the following conditions shall be added to the MDP:
 1. An updated air quality study shall be submitted and approved with each successive permit for addition to the laboratory building."
 2. "The PHL must show full compliance with the Emergency Response Plan conditions contained in the risk and safety assessment dated November 21, 2008. The PHL will provide the City with the most current risk and safety assessments at the time of future permit applications."
- Finding 55 would read, "The City of Shoreline requires all stormwater improvements to be in accordance with the stormwater regulations in effect at the time of permit application."
- Finding 58 would read, "The proposal retains 62% of the significant trees on campus based on a survey submitted at the time of the first permit submittal. The Shoreline Municipal Code requires 20% significant tree retention. Retention of significant trees adds to LID measures to mitigate stormwater runoff and meets the intent of Decision Criterion #4."

THE MOTION, AS AMENDED, CARRIED UNANIMOUSLY.

Chair Wagner thanked the applicant for demonstrating a fantastic effort working with the community. This was invaluable in making the process very smooth and friendly. She also thanked staff for helping to facilitate the process.

Closure of Public Hearing

The public hearing was closed.

DIRECTOR'S REPORT

Mr. Cohn informed the Commission that the City Manager has announced his resignation/retirement effective the end of February.

UNFINISHED BUSINESS

There was no unfinished business scheduled on the agenda.

NEW BUSINESS

No new business was scheduled on the agenda.

REPORTS OF COMMITTEES AND COMMISSIONERS/ANNOUNCEMENTS

Commissioner Kaje informed the Commission that yesterday evening was the first meeting of the Aldercrest Task Force, which is composed of representatives of the school district, the City, Friends of Aldercrest, and the Ballinger Neighborhood Association. He noted that he represents Friends of Aldercrest, and not the Planning Commission, on the task force. He expressed his belief that the process will be good, and the Commission will likely see a proposal from them in the future that will create both park space and development opportunities. He said his neighborhood is very excited about the process.

Ms. Simulcik Smith reminded the Commission of the email she sent out regarding the American Planning Association Conference in Kennewick, Washington. A registration form was provided in the Commission packet, and money has been budgeted to send all of the Commissioners to the event. She asked interested Commissioners to submit their applications as soon as possible. The deadline is September 20th.

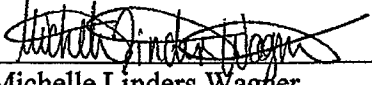
Commissioner Moss noted that a free workshop on "livable/sustainable communities is scheduled for Thursday, which happens to be the same day as the Planning Commission meeting. She said she would be willing to attend any or all of the sessions, depending on what the City is willing to support. Staff agreed to provide additional information to the Commissioners about the funding level for the conference.


AGENDA FOR NEXT MEETING

Mr. Cohn advised that the September 2nd agenda would include a discussion on Town Center. The Commission would also spend time talking about topics for the retreat that is scheduled for the end of September. They may have a study session on another item, as well. The September 16th agenda includes a public hearing on some development code amendments, and there would likely be other items scheduled on the agenda, as well.

ADJOURNMENT

The meeting was adjourned at 9:56 P.M.


Michelle Linders Wagner
Chair, Planning Commission


Jessica Simulcik Smith
Clerk, Planning Commission