Call to Order

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

Approval of Minutes

1.Approval of Minutes of the August 28, 2014 Meeting

This item was continued to a future meeting.

Citizen Comments

Ted Hikel, 3820 – 191st Place SW, Lynnwood, WA, commented that while many staff members have great knowledge regarding planning matters, most of them do not live in the City, but the Planning Commission members do. He expressed concerns about plans being proposed for mixed use development in many areas of the City. He urged the Planning Commission to carefully consider the impacts of this on the future and to be bold, to speak out, and challenge the staff, Council and Commission members, and themselves.

Public Hearing

1.2014 Comprehensive Plan Amendments – Highway 99 Consistency

Senior Planner Todd Hall introduced this item noting that one of the two proposed amendments had been withdrawn because it was not recommended to move forward. The Highway 99 Consistency amendment is the only one
remaining. This seeks to clear up some inconsistencies between the Highway 99 Subarea Plan and the Development Regulations. Staff has analyzed the proposal thoroughly with respect to the decision criteria as contained on pages 7-8.

Senior Planner Gloria Rivera reviewed Text Amendment #1 which would remove the height limit from the Comprehensive Plan in the Highway 99 Mixed Use zone. Language would be added that would allow a maximum of height of 90 feet (not to exceed six stories) for buildings incorporating residential development. This would be consistent with the Development Regulations. Text Amendment #2 would remove the five acre minimum requirement for planned unit developments (PUD) in the Highway 99 Mixed Use Zone. Ms. Rivera explained that the City Council chose to eliminate the five-acre minimum requirement when they adopted the Zoning Code. She reviewed the rationale for these amendments and their consistency with decision criteria as contained in the Commission’s packet. She stressed that while there would not be a requirement for the size of the parcels involved in the PUD process the City would still encourage consolidation of lots. Staff is recommending that both of the amendments be recommended for approval to the City Council by the Planning Commission.

Mr. Hall pointed out that the Ordinance distributed to the Planning Commission was just provided by the City Attorney. It was presented in a different format, but the content is the same as the one in the packet.

Public Comment:

The public testimony portion of the public hearing was opened at 7:17 p.m.

Ted Hikel, 3820 – 191st Place SW, Lynnwood, WA, pointed out that two of Lynnwood’s neighbors, Brier and Woodway, have both refused to change their zoning to incorporate more residents. He encouraged the Planning Commission to take into account the financial impacts to the City of bringing more and more people into the City. He pointed out that for every 1,000 increase in population, the City’s standards are to hire two more police officers, 1.5 new firefighters, and come up with 10 more acres of park or open space. The City does not have any money to do that. He encouraged the Commission to consider and communicate to the Council the financial ramifications of allowing higher and higher density. He referred to page two, lines 54-55 of the Ordinance which states: “Design standards and guidelines will be established to ensure new development does not negatively impact adjacent residential neighborhoods.” He encouraged the Planning Commission to make sure that the design standards and guidelines ensure that they don’t impact the single-family neighborhoods which are very close. Mr. Hikel also expressed concern about the way building heights are measured when lots are on a slope. If measured from the middle of the lot and the lot is on a slope, buildings could potentially be greater than 90-feet.
Seeing no further public comments, the public testimony portion of the public hearing was closed at 7:25 p.m.

Commissioner Comments and Questions:

Commissioner Braithwaite asked staff about the size of parcels along Highway 99 that developers are considering. Senior Planner Rivera replied that one of the developers did not indicate a specific lot size, but had informed staff that it was very difficult for him to consolidate the five acres.

Commissioner Larsen asked if the most cost-effective building method right now is one story of concrete with five framed stories of construction over that. Ms. Rivera affirmed that it is. Commissioner Larsen asked if 90 feet is the typical outcome of that type of construction. Ms. Rivera replied that 90 feet is a little high. Recent proposals have been closer to 60 feet.

Commissioner Ambalada thought that the City was asking for trouble with the unlimited height and acreage. She thought that is sounds a bit chaotic. She urged the Commission to be factual and intelligent. She spoke against making amendments just because it is inconvenient to one individual developer. Ms. Rivera replied that staff has made a lot of plans for the City Center over the years, but it is hard to specifically say how property is going to develop because it is economy-driven and developer-driven. The development as being proposed in those areas isn’t even getting close to the maximum height that would have been allowed in those zones. With regards to the height and the five acres, these are zoning codes that have already been approved by the City Council. Staff is coming forward to simply make things consistent. Commissioner Ambalada spoke in support of evaluating each development application to assess financial and zoning impacts, but stated there should be a uniform standard for everybody.

Chair Wright asked how many five-acre size parcels there are. Ms. Rivera replied that there were two, the Costco parcel and another one. Chair Wright added that someone could come in and purchase smaller parcels to make a larger parcel if they wanted to. Regarding concerns about building heights, he pointed out that right now the height is listed as unlimited. What staff is proposing is actually reducing the height and instituting a consistent design standard along Highway 99 which would be one particular type of construction. Ms. Rivera concurred.

Commissioner Larsen asked staff if these changes would be done under an addendum to the EIS since it would change the outcome resulting from the EIS. Senior Planner Rivera stated that they would not need to do that, but individual parcels would still have to do a SEPA if they trigger the threshold. Commissioner Larsen spoke in support of limiting heights and proposed a limit of 80 feet. Regarding the smaller lot size outside nodes, he recalled that they had this discussion during the EIS/Highway 99 discussions. He thought they had purposely held the standard high between nodes because the City wanted a
phased and focused approach to developing the nodes. He would rather keep that standard in place.

Chair Wright commented that just by penciling out the potential heights necessary for a six-story building he came to 86 feet or higher. He would hesitate reducing the height limit any further unless they are going to reduce the number of stories.

Commissioner Wojack commented that mechanicals are not included in the 90-foot height restriction. Ms. Rivera concurred, but noted they would still have to be screened.

Commissioner Braithwaite concurred with Commissioner Larsen about reducing the minimum lot size for developments between the nodes. Overall, he supports making these amendments in order to make everything internally consistent. He proposed two different approaches. One would be to recommend leaving the 90-foot height limit as it is, but on the second amendment changing the verbiage to allow "larger" parcels without specifying five-acres. He didn't think they could eliminate residential outside the nodes altogether since the City Council has already taken action. Another idea he had was to approve it as it is, but add some language expressing reservations about the way this is structured.

Commissioner Larsen commented that they could also propose no change.

Commissioner Ambalada pointed out that the City Council has approved it already. She stated that the Council is going through a lot of political pressure right now, and she refuses to submit to that. The Planning Commission invited the Council to a meeting, and this would have been an excellent topic for that meeting. She expressed concern about political pressure, especially from people from the Rotary, most of whom are business people that are not from Lynnwood. She stated that the residents of Lynnwood don't want to be like Bellevue. They don't want too much development. She encouraged the Planning Commission to persevere and do the right thing.

The public hearing was closed again at 7:46 p.m. (previously closed at 7:25 p.m.)

Motion made by Commissioner Braithwaite, seconded by Commissioner Larsen, to approve the 2014 Comprehensive Plan Amendments Highway 99 Consistency attaching an additional statement to the approval to read:

“The Planning Commission has significant reservations concerning potential negative impacts of smaller residential development and developments away from the transportation nodes along Highway 99 on the City relative to the benefits and efficiencies that come from larger developments and developments at the nodes.”
Commissioner Braithwaite commented that the first change seems like a no-brainer. Changing the unlimited height to 90 feet reduces the overall potential for residential to develop along Highway 99. The second amendment is already inconsistent; he is in favor of larger developments and having a fixed number is helpful. Larger developments would reduce the number of curb cuts, and therefore the number of accidents. Even so, it is good to have the internal consistency of the document.

Motion passed (5-1).

Work Session

1. Draft Land Use Element of the Comprehensive Plan (continued)

Deputy Director Loch stated that this is a continuation of the Commission’s work at the last meeting where they began review of the Draft Land Use Element of the Comprehensive Plan. This would be part of the amendment ultimately packaged together for the 2015 Update of the Comprehensive Plan. He stated there was no new information, but solicited any comments or questions.

Commissioner Braithwaite referred to Policy LU-51 on page 3.21 of the Draft Land Use Element and commented that it didn’t read well. Deputy Director Loch concurred and noted that he would double-check that. The intent of that was to protect the residential areas however the population growth targets are accomplished.

Commissioner Braithwaite commented that overall some of the loss of narrative would mean loss of some of the knowledge that has accumulated over time in the City. He commented that the Land Use Element seems more focused on the Growth Management Act and less on the citizens’ vision for what Lynnwood’s land use policy should be. Deputy Director Loch agreed that when the Land Use Element (or any of the elements) is read in isolation it doesn’t communicate the community’s vision. The way staff was attempting to remedy that in the long run is with the Introduction chapter of the Comprehensive Plan and with the Community Character Element which will be a new element to address the cultural, social, and aesthetic aspects of the community.

Commissioner Braithwaite referred to Policy LU-6 which states that land use policies and regulations should provide for, among other things, recreation areas, open space, and natural resources. He noted that the City is already below the standards they have set for themselves, and with each new person the ratios get worse. He would like to see how the City can have a larger population along with a realistic plan for achieving its open space goals.

Commissioner Wojack suggested that it might be helpful to have some of the overall guiding policies on a white board while they are reviewing all of these
individual elements in isolation. Deputy Director Loch noted that would be a good idea. He also suggested possibly working on the Community Vision and Introduction Chapters first in order to guide the rest of the process. There was unanimous consent that that would be helpful.

Commissioner Larsen asked if the Planning Commission would be reviewing all of the individual elements before the City Council looks at it. Deputy Director Loch said he envisioned that the Commission would take the first stab at these elements and get them retooled. At the point where the Planning Commission is comfortable with its work, it would be appropriate to review the work with the City Council and get feedback. Commissioner Larsen said he would love to see the Introduction since it would set the tone. He could see addressing Housing and Community Character simultaneously. He is willing to go forward with this, but he would really appreciate the opportunity to meet with Council and get feedback on this. Deputy Director Loch noted that the Council is currently very busy with the budget, but it is staff’s expectation that there will be a high level of collaboration between the Council and the Commission at some point in the future.

Commissioner Hurst asked about the timeline for looking at the Community Vision section. Deputy Director Loch stated that if desired by the Commission, staff could begin working on that immediately so that it could be ready in some form at one of the October meetings.

Commissioner Braithwaite referred to Policy LU-26 and asked if this was an addition or just a renumbering. He commented that he couldn’t find those policies in the redlined version. Deputy Director Loch noted it is not new substance, but indicated he would follow up on that. Commissioner Braithwaite suggested that staff could email a searchable version of the document to the Commission.

Commissioner Ambalada referred to the Community Vision and stressed that the community cannot stomach any more taxes.

**Council Liaison Report**

Councilmember AuBuchon had the following comments:

- He stated that the idea of a meeting with the Council was brought up again by him during Council Comments at the last meeting. He had commented that in light of the budget, the Council has a statutory responsibility to meet with all boards and commissions, not just the Planning Commission. He stated that this statutory requirement has not been fulfilled in the time that he has been on the Council.
- He agreed with Councilmember Ambalada that there are political issues going on with the Council right now that aren’t being addressed by the Council as a whole.
- He thanked the Planning Commission and the staff for their hard work. He thanked staff for the line numbers.
• He commented on the importance of getting the Comprehensive Plan right because it is the City’s future.

Director’s Report

Deputy Director Loch stated that Director Krauss is away at training and he had no report on his behalf.

Commissioners’ Comments

None.

Adjournment

The meeting was adjourned at 8:15 p.m.

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Richard Wright, Chair