

City of Sumner

PLANNING COMMISSION

February 7, 2002

Members Present: Livingston, Myers, Smith, Nalder, Lovgren, and Walker

Members Absent: Richardson (Not notified)

Also Present: Ryan Windish, Senior Planner Leonard Bauer, Director of Community Development Robert Holler, Planning Intern

CALL TO ORDER

LIVINGSTON called the meeting to order at 7:03 p.m.

APPROVAL OF MINUTES

MYERS motioned to approve the minutes for January 3, 2002. WALKER seconded the motion. The motion passed unanimously.

NALDER noted a change to be made under City Staff and a spelling correction on the last page - "DeJean". Myers was spelled wrong on the last page. MYERS motioned to approve the minutes for January 24, 2002, as corrected. WALKER seconded the motion. The motion passed unanimously.

PUBLIC COMMENT

There was no public comment.

WINDISH announced that the minutes taker, Lori McNett, is moving to Belgium. Her husband is in the Air Force and is being transferred. This will be her last meeting. He introduced and welcomed her replacement, Sara Heckman.

UNFINISHED BUSINESS

1. Zoning Code Amendments

WINDISH referenced the new form that the Planning Commission is using that is called the Majority Opinion. At the last meeting Planning Commission passed on the Majority Opinion to the Council with the recommendations. The Planning Commission requested some additional detail to be included in the Majority Opinion which is more reflective of the discussion and the rationale that was discussed by the Planning Commission as they deliberated over their recommendations. He presented a draft memo with sample language.

WALKER stated that her concern was that the Majority Opinion did not provide information to the Council on the things that they had considered. It did not include their discussions and what they evaluated when they made their recommendation. She does not feel that Windish's proposed memo reflects what they considered.

LOVGREN stated that she was concerned with the wording in the second paragraph. It sounds as if they had come to the conclusion that an unmaintained 5-foot setback was less appealing than fences with no

setbacks from the sidewalk. She requested that he fine tune the Majority Opinion because it sounds a bit misleading. It does not reflect that there was a differing opinion.

LIVINGSTON suggested including questions that were considered regarding the areas within the setback such as plantings, maintenance, and the pros and cons of having fences on the setback. He would like to see the questions that were considered in the discussion.

Thereupon was discussion on how the drafting of the Majority Opinion would be drafted and what would happen if there was a dissenting opinion.

BAUER stated that the idea is for staff to provide a Majority Opinion and that it be handled within the meeting itself as part of the Commission action on that topic. If there are larger concerns that cannot be handled in the meeting, then they propose using the minutes to reflect the additional discussion. They could then bring it back to the Commission. If there are still concerns then they would be willing to meeting with an individual commissioner to make sure their thoughts are reflected.

MYERS motioned to approve the amendment to the expanded analysis of the Majority Opinion the Zoning Code Amendments. WALKER seconded the motion. The motion passed unanimously.

NEW BUSINESS

1. Public Hearing on East Main Street Design Strategy

WINDISH stated that this is the first public hearing on the East Main Street Design Strategy, but it is not the first meeting. The process started several months ago with public workshops and meetings with property owners along East Main Street. The main question during the workshops is what the vision for East Main Street would be. Will it become a typical commercial strip or will it be more of an extension of the downtown Main Street? The objectives of the strategy was to make the area more pedestrian friendly, safer for people to walk, slow down traffic and make the area better for businesses. They have heard from the public and property owners and they have taken comments from the Planning Commission in work sessions and meetings. He summarized the elements in the strategy that he is presenting at this meeting. These elements will do a number of different things. It will bring the buildings closer to the street, require the parking be to the side or the rear of the building, and create a different type of streetscape. He emphasized that these changes will take place only as redevelopment occurs and as properties are improved, demolished and rebuilt. It is a long-range plan. There is a mid-block crosswalk proposed near the QFC which will be funded by the City. Combined and shared driveways are a key element in the plan which combines the access of a number of different properties and businesses into one spot. There are three different proposed locations for this and he pointed them out on the map. He discussed the different alternatives for the driveway access locations. The benefits to reducing driveways would be more building room and more frontage. Another element in the strategy includes cross access corridors and joint parking between businesses. The proposed short medians will not be included in the plan because they have been a controversial point. It was determined that they would be eliminated from the plan because the right-of-way is not wide enough to make them effective. Sidewalk improvements include construction of an additional 5 feet of sidewalks next to the existing 5-foot wide sidewalks. The parking setback has been increased to be 10 feet behind the front façade of the building. Striped bike lanes have been eliminated from the proposal because of the on street parking element. There is not enough room for bike lanes. The current maximum building setback is 25 feet. The proposal is that the maximum be reduced to 5 feet unless the nature of the business requires there to be more. The Planning Commission has suggested a zero lot line setback on side yards. There will be some design issues with this element that will need to be addressed through the Design Guidelines. The downtown design elements include street lighting, street trees, benches and hanging flower baskets. Low monuments signs are also part of the strategy. There is also a proposal that there be no freestanding signs within the 5-foot setback. Stoplights are proposed for Parker Road and 160th. The main issue with the strategy is on street parking. He discussed the different alternatives that have been proposed. He pointed out potential parking spaces for

on street parking down Main Street. He presented a conceptual development scheme that may occur. This is the strategy in 20 years, which sets out potential building footprints and parking locations. Once the combined driveways are working there will be a lot more parking. The timing of the plan is long range. There are some things that will be occurring as development occurs. There will be a mix of funding. There has been a lot of discussion about at what point certain improvements would be required to be made. He summarized the table of thresholds on page 22 of the handout. The proposed guidelines are more lenient than the current requirements on sidewalk improvements for commercial development. He outlined the proposed thresholds that would trigger certain requirements. He has prepared a Majority Opinion in case the Planning Commission was ready to pass this on to Council.

Public Comment

RICHARD DEJEAN, 15224 Main Street, requested Mr. Windish's notes from the various stages of this project. He questioned where Mr. Windish kept his notes. He asked if it would be possible for him to look at the notes tomorrow. He asked when the conception of this idea first came to fruition. He asked who put together the slide project. Who were the consultants? The intent is to link the downtown section to East Main Street? What happens to the area from Wood to Valley? Is there going to be a gap in between? Why should this area stay as it is but East Main should be linked in the tone and character of the downtown? He questioned if Mr. Windish takes issue with the fact that the majority of the buildings presently in the East Main project are not within 5 feet of the street. Who is going to pay for the loss of the value of the improvements? No one is going to buy a building and have to move it. Who is going to buy them? It will require that when a building is sold that it then meet the requirements. It would only be for redevelopment? Who will he ever be able to sell his property to? No one is going to buy a building and convert it into a driveway. Mr. Windish indicated at the second to last meeting that the compensation was going to come from the property owners and that they would chip in buy it from him. He questioned the location of a proposed combined driveway.

WINDISH does not have the notes at the meeting. He keeps his notes in his file. He can make an appointment for Mr. DeJean to look at his notes next week. The concept of this plan is explained in the Design Strategy which started in the early 90's. The visioning process of the Comprehensive Plan and the Community Character Strategy did a separate survey and did a slide project with the public to see what types of development they would like to see in certain parts of town. He can provide the names of the consultants. The consultants listed on page 1 of the East Main Street Design Strategy were instrumental in gathering the information and reporting the information. They drafted it into a strategy which then became part of the Comprehensive Plan. The vision for the city is outlined in this plan. The Urban Design Concept Plan talks about the East Main Street commercial corridor. Downtown East Main is not connected in character and tone. This is what the strategy lays out. This plan does not address the area from Wood to Valley. This area is already discussed in the Urban Design Concept Plan. The area is proposed to stay they way it is right now. Right now the area is residential buildings fronting on East Main. It is not zoned commercial. The high school is not zoned commercial. The character of that area is completely different. He agrees that the majority of the buildings presently on East Main are not within 5 feet of the street. The existing minimum setback is only 25 feet. The existing buildings can be bought, sold, improved and changed in a lot of ways. We are not going to require that an addition be put on the front of every building to be brought within 5 feet of the sidewalk. When a building is sold is not new development. On page 8, 4th paragraph, it discusses Mr. DeJean's property. The paragraph states that the owner's property containing the existing office building would need to be fairly compensated if it becomes necessary for the City to acquire all or a portion of that property for this configuration. He has laid out a number of different ways that combined driveways could be funded on page 10. He summarized a number of different ways funding could happen. He responded to the question regarding the locations for the proposed combined driveways. There are commercial properties to the rear of the Washington Market building and Sumner Veterinary Hospital that use this location. The Sumner Veterinary Hospital is looking at doing some redevelopment that may facilitate a connection of the drive over to the Fred Meyer parking that is proposed. There are a lot of different properties that will be accessed by this entrance on the north.

PAT DUFFY, 15421 Main Street, Sumner, Washington, appeared and posed some questions to the Commission. He does not see any discussion about the traffic impact from the new Fred Meyer will have on East Main Street. This needs to be discussed. He guesses there will be over 1,000 vehicles per day going in and out of Fred Meyer. This will defeat one of the objectives of this design strategy which is to create an area that is safe and friendly to the pedestrians. He requests that his driveway on Main Street not be eliminated. He understands that this may be eliminated because there is some danger to pedestrians. He asks that the Commission consider the traffic and pedestrian hazards that are being created by the Fred Meyer driveway that will come to Main Street. The increased traffic will create a tremendous pedestrian hazard. He referenced other local Fred Meyer stores and stated that each one has at least two lanes of traffic in each direction. He believes this is where Sumner will be in 3 to 4 years. He is concerned there will be a need for five lanes of traffic on Main. One only needs to take a look at the current traffic situation right around the high school. Safety is a concern if you allow only 3 lanes of traffic and allow on-street parking. There will be parents dropping off their children and Main Street will be dangerous for people to get out of their cars. We currently already have speeding problems. He questioned staff if a traffic safety engineer had reviewed this plan. He suggests getting some input from risk management and insurance people on the plan. He appreciates all the time and effort going into the plan.

Appearing was LINDA LARABY, 1302 Puyallup Street, who stated that she represents Mike Corliss. They are supportive of the overall plan. Their main problem is with the sidewalks and dedicating the properties. She is concerned because the Washington Market property is multi-tenant and there will be turnover. She is concerned about costs for redeveloping for tenant spaces. She is also concerned about people getting out of their cars when parking on the street.

Appearing was RON HYLAND, 15908 East Main Street, who posed a question about tearing down an existing single-family residence that is currently in a high-density residential area. If he tears this house down and builds a new residence where will this put him with the project? RYAN WINDISH stated that in his situation he would tear down his existing residence and build a new residence the requirement for the construction of the sidewalk would be required. There is an option in the Code for new sidewalk construction that allows a property owner to sign a no-protest LID agreement. This means that if a LID is to be formed in that area in the future that he would agree that he would not protest formation. RON HYLAND asked for clarification whether or not he would have to build his new residence within 5 feet of the setback. RYAN WINDISH stated that this would have to be clarified. The intent of the setback was for commercial zones.

Appearing was L.L. Mills, 13503 Main Street, who questioned why the 10 foot sidewalk would have to extend all the way down Main Street. He does see why the other end of town has to increase the sidewalk width by two feet. He objects to this.

Appearing was AL BELCHER, 15713 East Main Street, who had questions regarding the tier requirements for driveways. He questioned whether the dedicated combined driveways were dedicated to Sumner or is it a dedicated use for the driveway and parking area. If the property is dedicated to the City will they fund improvements? He questioned the requirements for the parking area layout.

RICH COCKEREL, 15324 East Main Street, appeared and stated that he just purchased a medical office building. He questioned staff about the proposed combined shared driveway. Is this taking his whole driveway? Will there be sidewalks along the access routes of the shared driveways? He questioned whether he would still own his parking lot or would it go to the City. RYAN WINDISH stated that he owns it and this plan does not set forth any requirement that he dedicate it at this point in time. RICH COCKEREL questioned if he had any authority to privatize his parking. WINDISH referenced the thresholds in Table 3. No changes would occur until the thresholds are exceeded. MR. COCKEREL reiterates concerns regarding the Fred Meyer traffic. He is also concerned about the potential danger with the on street parking. Traffic is going to get worse. Traffic will be forced to go slower because it will be heavy, not because the street looks nicer.

CHERYL LIVINGSTON, 326 Alder, appeared and stated that she has grown up in Sumner. She would like the Commission to think long term. She thinks that East Main will end up being obsolete. We have to think about the traffic because it will be just like Valley. Valley was just redone and it is now a parking lot and we did not anticipate the traffic. When Fred Meyer comes it will get worse. Maybe instead of a wider sidewalk the City should take over that property and make another lane so that people can move.

NANCY BAKER, 403 Alder, appeared and questioned staff about why the City has to pay for this. Why doesn't the owner or developer have to pay for all of it? She is concerned about the inconsistent development and sidewalk widths. Developers should have to pay and not the taxpayers.

MARIO GALEANO appeared and stated that he is representing the Galeano property owners. His property is to the east of Mr. DeJean's property. It is not feasible to look at Tier 1 and Tier 2. Any development there is not feasible. How are we supposed to sell any property there if the future costs associated with any development will be so exorbitant? We are not talking about just developing land into sidewalks and roads, this is gifting property and lowers our property value. He questioned how it would be feasible not only to develop property but also if they want to sell it, get fair market value, with the new owners knowing that the costs associated with developing will be astronomical. How would it be feasible? We are not only developing land, but we are gifting land as well.

WINDISH clarified that the 5 foot sidewalk dedication is in the area within the minimum 5 foot setback on a building. That 5 foot setback would become sidewalk. You cannot use that 5 foot setback for anything anyway. The value of this usable area is probably low. The Planning Commission and Staff have looked for ways to provide benefits to the property owner. The allowance of the zero lot line setback on a side yard is one of the proposed benefits. Right now the setbacks for the side yard is 15 feet. If there is a zero lot line setback there will be an additional 15 feet of land that the property owner can develop.

The public comment portion of the hearing was closed.

MYERS suggested another study session. There have been concerns raised about where residential properties are currently located. He has questions about the parking lot. He requests a study session to go over the comments heard in this meeting.

NALDER requests that Staff get a legal opinion regarding the North American Free Trade Agreement and the potential penalties of Chapter 11 that pertains to this and all future development.

MYERS motioned to table this matter to a study session on February 21, 2002. SMITH seconded the motion. The motion passed unanimously.

Thereupon was discussion about when to schedule the study session. There is currently a study session scheduled for February 21, 2002, on the Shoreline Master Program. It was determined that the February 21, 2002, study session will be for the East Main Street Design Strategy. The March 21, 2002, study session will be for the Shoreline Master Program and the Critical Areas Regulations.

2. Station Area Plan Final Recommendation

LEONARD BAUER stated that the Station Area Plan has been before the Commission numerous times and public comment has been taken in numerous meetings. At the last work session final changes were discussed. This plan is to address the area around the rail station and the central business district for parking considerations and for future development possibilities. He discussed the changes that have occurred to the plan since the last public hearing. Other changes include prioritization of implementation. This includes moving up the timeline for beginning to explore with Sound Transit the possibility of a new parking facility.

NALDER questioned what type of buffer would exist between abutting zones. BAUER stated that a 10-foot landscape buffer would be required to be provided by the commercial property. The Design Guidelines would have to address these issues.

LOVGREN is concerned that if there were a strategy in place then it would create a forward motion that cannot be slowed down. There is not any support for this and we don't think it is right to do it, but there still is a strategy that says that we are going to do it. BAUER stated that is it much like a Comprehensive Plan and the zoning that implements that. The Comprehensive Plan sets the direction and the actions would have to be consistent with it. If there were strong opposition not to go along with the direction, then we would have to come back and amend the plans.

MYERS motioned to accept the Station Area Plan as presented by Staff. SMITH seconded the motion.

WALKER stated that she was not comfortable with this plan and will not vote in favor of it.

LOVGREN motioned to suspend the above motion and move on to the next agenda item. NALDER seconded the motion. The motion passed unanimously.

CORRESPONDENCE

There was no additional correspondence.

COMMISSIONER COMMENTS

LOVGREN will not be present at the Planning Commission meetings from February 14th through March 21st.

WALKER questioned if Staff was going to take action about the signs on Valley.

NALDER commented that if there were going to be trees on East Main Street along with parking it would be nice if trees were not in line when you open your car door. He congratulated Leonard Bauer on his new appointment.

LIVINGSTON wanted to thank the minutes taker, Lori McNett, on behalf of the Planning Commission for her efforts. He welcomed Sara Heckman as the new minutes taker.

STAFF COMMENTS

WINDISH passed out a notice of a short course that the City of Edgewood is putting on February 27, 2002. He needs to know who wants to attend by February 21st. The topic covers the legal basis of planning in Washington State and the role of a planning commission. He provided an attendance report for the Planning Commission for 2001. The Mayor has requested a copy of the attendance record for the Planning Commission. He also provided a copy of the article from the Tacoma News Tribune regarding the Bryan Stowe property. Robert Haller is the current planning intern. They are hiring another part-time planner.

BAUER stated that he has been offered a position at the State of Washington as Director of the Growth Management Program. He has accepted this position and it will be effective March 1st. John Doan will take over as Director of Community Development and they are hoping to hire some additional planners.

Continuation - Station Area Plan Final Recommendation

MYERS amended his previous motion to approve the Station Area Plan as presented by staff to include acceptance of the majority opinion drafted by staff. SMITH seconded the motion. A roll call vote was taken as follows:

Livingston - Yes Lovgren - Yes Myers - Yes Nalder - Yes Smith - Yes Walker - No

The motion passed 5 to 1.

Thereupon the Commission discussed how to process the dissenting opinion. Staff will collect the dissenting opinion and then pass it on to Council. It will also be distributed to the Planning Commission.

BAUER informed the Commission that the Council has scheduled a work session on the Station Area Plan for February 11, 2002, if anyone can attend.

NALDER commented that it would be helpful if the motions in the minutes reference what the motions were about.

ADJOURNMENT

MYERS motioned for meeting adjournment at 9:41 p.m. LOVGREN seconded the motion and it passed unanimously.

Ryan Windish, Senior Planner