

**CITY OF SNOHOMISH
REGULAR MEETING OF THE PLANNING COMMISSION
MEETING MINUTES
January 5, 2022**

NOTE: Due to the COVID-19 declared federal, state and local emergency, and pursuant to Governor Inslee's Proclamations 20-05 and 20-28, the Snohomish Planning Commission held its meeting via remote participation.

1. CALL TO ORDER

Chair Hank Eskridge opened the regular meeting of the Planning Commission at 6:03 p.m. on Wednesday, January 5, 2022. Mr. Pickus informed the Planning Commission that Commissioner Van Tormohlen had resigned.

2. FLAG SALUTE

3. ROLL CALL

COMMISSIONERS PRESENT:

Hank Eskridge, Chair
Nick Gottuso, Vice Chair
Gordon Cole
Mitch Cornelison
Terry Lippincott
Christine Wakefield Nichols

COMMISSIONERS ABSENT:

STAFF:

Glen Pickus, Planning Director
Brooke Eidem, Planner
Thomas Kreinbring, Assistant Planner

OTHERS PRESENT:

Lee Ann Burke, City Council Liaison
Judith Kuleta, City Council Liaison
Linda Redmon, Mayor
Steve Schuller, City Staff
Wendy Poischbeg, City Staff

4. APPROVAL OF AGENDA ORDER

Chair Eskridge asked for the agenda order to be approved as presented. Hearing no objections, the agenda order stood as presented.

5. APPROVAL of the minutes of the December 1, 2021, regular meeting.

Commissioner Lippincott moved to approve the minutes of the December 1, 2021 meeting as written. Commissioner Cole seconded the motion, which passed 6-0.

6. GENERAL PUBLIC COMMENTS

Morgan Davis asked if Van Tormohlen was on the Midtown Task Force, as well as what the voting records were of the Commissioners pertaining to the proposed Midtown District building heights. Mr. Pickus informed Mr. Davis that Van Tormohlen was a member of the Task Force. Chair Eskridge suggested Mr. Davis read the meeting minutes published on the City website for voting records.

Councilmember Burke introduced herself as one of the City Council liaisons to the Planning Commission.

7. MIDTOWN DISTRICT CODE AMENDMENTS AND REZONE PUBLIC HEARING

Chair Eskridge opened the public hearing. Mr. Pickus entered into the record public comments received, which included two that were part of the agenda packet (Dec. 14, 2021 letter from Garry Clark of Economic Alliance Snohomish County and Dec. 23, 2021 email from Morgan Davis) and an email received after the agenda packet was published (Jan. 4, 2022 email from Kyle Ivarra).

Mr. Pickus presented background information regarding the Midtown District, the establishment of its Task Force through Ordinance 2403, and all pertinent work done by the Planning Commission after receiving the Task Force's recommendation.

Mr. Pickus then presented the Planning Commission's proposed code amendments, which were developed after considering the Midtown Task Force's recommendations, together with input and recommendations from staff and consultants. The proposals include:

- Adopting a new SMC Chapter 14.214 Midtown District Development Regulations.
- Amending SMC Chapter 14.25 Definitions.
- Amending SMC Chapter 14.30 Establishment of Zoning Districts.
- Amending SMC Chapter 14.207 Land Use Tables.
- Amending SMC 14.210.330, Dimensional Requirements, Table 1.
- Adopting a new section SMC 14.235.047 Parking Requirements for Existing and New Structures in the Midtown District.
- Rezoning the area along Avenue D from Sixth Street north to SR9 to "Midtown District" from "Commercial."

Mr. Pickus informed the Planning Commission that staff is making an additional recommendation not previously discussed with the Commission to require a minimum amount of commercial space in buildings fronting Avenue D to support a Task Force recommendation. That recommendation includes adding a new sections SMC 14.214.210B and SMC 14.214.505 to required commercial space at street level on buildings fronting Avenue D that are at least 20 feet deep.

Mr. Pickus explained the proposed amendment to the definition of "Family" is not related to the Midtown project but is proposed in order to be consistent with Senate Bill 5235, recently passed legislation which preempts local regulations that establish a maximum number of unrelated occupants per dwelling unit.

Mr. Pickus presented photo simulations of three-, four- and five-story buildings the former county public works shop site on the west side of Avenue D and across the street at the Hagen's site in order to provide a visual context for the different impacts the various building heights would have.

Chair Eskridge asked if any Commissioners had questions for staff.

Commissioner Cornelison asked how mixed use development would relate to the minimum density and Mr. Pickus informed him it pertains strictly to residential development. He then asked if development fronting Avenue D could be only residential and Mr. Pickus explained that would not be allowed as it is currently proposed.

Commissioner Lippincott asked if development fronting Avenue D could have a limit to height regardless of whether the site is filled to grade or if buildings are set back from the property line. Mr. Pickus explained how building heights are measured already addresses that issue. She also asked if the new recommendation, SMC 14.214.210(B) and SMC 14.214.505, meant the whole frontage on Avenue D must be commercial and Mr. Pickus

explained that is not the intent. Commissioner Cole said it seemed that way and Mr. Pickus offered that staff will make it more succinct given this feedback.

Commissioner Wakefield Nichols asked about landscaping and tree requirements and how building articulations are measured.

Chair Eskridge asked about setbacks on Avenue D and how they were measured.

Chair Eskridge then opened public testimony for the proposed Midtown District code amendments and rezone:

Megan Kemmett voiced support for the Task Force recommendation.

Randy Blair, Property Manager for the vacant Snohomish County Shops site, voiced support for the Task Force recommendation.

Mandi Roberts, OTAK representative on behalf of Snohomish County, voiced support for the Task Force recommendation.

Brian Vanneman, Leland Consulting behalf of Snohomish County, voiced support for the Task Force recommendation.

Kyle Stevens, Task Force member, voiced support for the Task Force recommendation.

Kay Ditzenberger commented that the parcel #00451000001500 adjacent to School District's parcel at 1601 Avenue D be zoned undevelopable given Blackmans Lake's environmental issues.

Morgan Davis voiced opposition to the proposed Midtown District in general.

Garry Clark, Economic Alliance Snohomish County, voiced support for the Task Force recommendation.

Adam Dempsey voiced general support for the Task Force recommendation but suggested limiting building heights to 35' on Avenue D and allowing taller buildings toward Bonneville Avenue.

Karen Crowley voiced support for the Task Force recommendation and recommended lowering the parking standard as an incentive to allow for more density.

Ray Cook, Task Force member, voiced support for the Task Force recommendation.

Chris Peterson voiced support for the Task Force recommendation.

Chair Eskridge moved to close the public testimony for the proposed Midtown District code amendments and rezone. Commissioner Gottuso seconded the motion, which passed 6-0.

The Planning Commission began deliberations.

Commissioner Cole commented that the proposed design standards will increase the cost of construction, although they should not be abandoned. He asked a clarifying point on the proposed 10% increase to floor area and whether the code applies to the new area or the entire development. Mr. Pickus confirmed that only the new area would need to meet the design standards. Commissioner Cole recommended to leave it to the market for what percentage of space needed to be commercial fronting on Avenue D and that one row of parking and an access parking lane should be allowed between the building and the street on Avenue D. Chair Eskridge agreed as did Commissioner Gottuso because the city continues to be automotive-centric. Commissioners Lippincott and Wakefield Nichols offered their view points as did Mr. Pickus.

Commissioner Cole moved to amend the recommendation to allow a single row of parking in front of any commercial development on Avenue D. Commissioner Lippincott seconded, which passed 6-0.

Commissioner Cole moved to amend the recommendation to remove SMC 14.214.210(B) and SMC 14.214.505 pertaining to required commercial space on the ground level of development fronting Avenue D. Commissioner Cornelison seconded, which passed 4-1-1 with Commissioner Lippincott voting no and Commissioner Wakefield Nichols abstaining.

The Commission discussed the 12' minimum ground-floor ceiling height requirement at the behest of Commissioner Gottuso and determined it was best to leave it as-is.

Commissioner Cole alerted Mr. Pickus to typos in the draft document and they were all noted for correction. He then noted a concern regarding the required public open space but did not suggest any changes to the proposed code.

Commissioner Cole moved to amend the recommendation regarding SMC 14.214.510 found on page 50 of the agenda packet to exempt "signage or easily removed or converted features" from the prohibition on corporate architecture. Commissioner Lippincott seconded, which passed 5-1 with Commissioner Gottuso voting no.

Commissioner Cole moved to define "flat roof" as 1:12 or less in Chapter 14.25 SMC. Commissioner Wakefield Nichols seconded, which passed 4-1 with Commissioner Cornelison voting no and Commissioner Gottuso abstaining.

Commissioner Gottuso stated he was glad the Multi Family Tax Exemption program would be addressed at the City Council level and Commissioner Lippincott agreed.

Commissioner Gottuso moved to have City Council investigate Kay Ditzenberger's public comment regarding Blackmans Lake and its potential environmental issue. Commissioner Cornelison seconded, which passed 6-0.

Commissioner Gottuso opened discussion on SMC 14.210.330 found on page 86 of the agenda packet. He stated his wish in keeping building heights as drafted by the Planning Commission. Commissioner Lippincott moved to amend the table to match the Task Force's recommendation of 55-foot heights in the North overlay and 45-foot heights in the South overlay, and stated her support to plan for the future, provide affordable housing through increased heights and make Snohomish a place that would support welcoming an increase in population. Commissioner Cole seconded the motion and stated the design standards would only work in tandem with an increase in height. The motion failed 2-4 with Commissioners Lippincott and Cole voting for the motion.

Commissioner Cornelison stated buildings taller than three stories is against Snohomish character as there are so few currently in town. Commissioner Lippincott countered that it was necessary to increase density through increased building heights somewhere and the proposed Midtown District was a perfect place to allow it. Chair Eskridge stated that there is a height increase to 45 feet in the draft recommendation for future developments fronting on Bonneville Avenue. Mr. Pickus provided the City Council's goal and intent for creating the Midtown District.

Commissioner Wakefield Nichols moved to recommend amending SMC 14.21.330 as drafted which sets a 35' maximum building height in both the North and South Overlays with the exception of allowing 45' buildings if they face Bonneville Avenue. Commissioner Cornelison seconded, which passed 4-2 with Commissioners Cole and Lippincott voting no.

Commissioner Cole moved to recommend City Council approval to amend Title 14 SMC to create a new Chapter 14.214, Midtown District Development Regulation as modified during discussion. Commissioner Lippincott seconded, which passed 6-0.

Chair Eskridge moved to recommend City Council approval to amend Chapter 14.25 SMC, Definitions, as discussed. Commissioner Lippincott seconded, which passed 6-0.

Chair Eskridge moved to recommend City Council approval to amend Chapter 14.30 SMC, Establishment of Zoning Districts, as presented. Commissioner Wakefield Nichols seconded, which passed 6-0.

Chair Eskridge moved to recommend City Council approval to amend Chapter 14.207 SMC, Land Use Tables, as presented. Commissioner Wakefield Nichols seconded, which passed 6-0.

Commissioner Cole moved to recommend City Council approval to amend SMC 14.235.047, Parking requirements, as presented. Commissioner Wakefield Nichols seconded, which passed 6-0.

Commissioner Lippincott moved to recommend City Council approval of rezoning the area along Avenue D from Sixth Street north to SR 9 that to "Midtown District" from "Commercial". Commissioner Cornelison seconded, which passed 6-0.

Commissioner Lippincott moved to recommend City Council to adopt the Findings of Fact Conclusions as presented and discussed. Commissioner Wakefield Nichols seconded, which passed 6-0.

8. DIRECTOR'S REPORT

The February 2nd Planning Commission meeting will be canceled because the Commission will be meeting with the City Council at a joint workshop on February 15th at 5pm. After discussion with the City Administrator, it will be held remotely.

Mr. Pickus provided an updated on the Undesirable Uses code amendment and informed the Commission the public hearing on it will be held in April instead of March as originally planned, so the Commission can discuss it in detail prior to the public hearing.

9. ADJOURNMENT

The meeting adjourned at 9:02 p.m.

Approved this 2nd day of March 2021.

By: s/s Eskridge

Commissioner Hank Eskridge, Chair