



City of Lake Forest Park

Regular Planning Commission Meeting Tuesday, June 9, 2020 PROPOSED MEETING AGENDA

Meeting to be Held Virtually

See second page for information about how to participate virtually

City Hall is Closed to the Public

- 1. Call Meeting to Order—7:00 p.m.**
- 2. Approval of Meeting Minutes**
 - May 12, 2020
- 3. Meeting Dates**
 - Next regular meeting schedule for July 14, 2020
- 4. Reading of Written Citizen Comments:** Click on the following link for instructions on how to submit written comments: <https://www.cityoflp.com/617/Virtual-Planning-Commission-Meetings>
- 5. Report from City Council Liaison**
- 6. Old Business**
 - Implementation of Town Center Vision
 - Discussion of Density and Open Space
- 7. Election of Chair and Vice Chair**
- 8. Reports and Announcements**
- 9. Agenda for Next Meeting**
- 10. Adjournment**

Instructions for participating in this meeting virtually:

You are invited to a Zoom webinar.

When: Jun 9, 2020 06:30 PM Pacific Time (US and Canada)

Topic: June 9 Planning Commission Meeting

Please click the link below to join the webinar:

<https://zoom.us/j/96883044308>

Or iPhone one-tap :

US: +12532158782,,96883044308# or +14086380968,,96883044308#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 253 215 8782 or +1 408 638 0968 or +1 669 900 6833 or +1 346 248 7799
or +1 312 626 6799 or +1 646 876 9923 or +1 301 715 8592

Webinar ID: 968 8304 4308

International numbers available: <https://zoom.us/u/aeryUzqg5>

**City of Lake Forest Park - Planning Commission
Regular Meeting Minutes: May 12, 2020
Virtual (Zoom) Meeting**

Planning Commissioners present: Chair Joel Paisner, Richard Saunders, Steve Morris, Rachel Katz, Jon Lebo, T.J. Fudge; Ira Gross, Vice Chair Maddy Larson

Staff and others present: Tom French, Councilmember; Steve Bennett, Planning Director; Nick Holland, Senior Planner; Cristina Haworth, Otak, Rhonda Siner, City IT Programs Manager, Kim Adams-Pratt, City Attorney

Planning Commissioners absent: none

Call to order: 7:00PM

Approval of Agenda:

Mr. Paisner asked for a motion to approve the agenda. Mr. Gross moved to approve the agenda and the motion was seconded by Mr. Fudge. Mr. Paisner asked for any additions, changes, or discussions.

Cmr. Fudge moved to amend the agenda to add an item to discuss potentially adding signage to be put up at Town Center to support businesses. Chair Paisner asked for any additional changes to the agenda. Chair Paisner proposed to put the item under new business, but Cmr. Fudge objected because he said that the Commission rarely has time to discuss new business. Cmr. Paisner suggested that the item would be addressed after public comments. Chair Paisner asked for a vote on the agenda and proposed changes and it passed unanimously.

Approval of Meeting Minutes:

Cmr. Paisner called for a motion to approve the minutes from April 14, 2020. Cmr. Gross moved to approve the meeting minutes from April 14, 2020. Cmr. Saunders seconded and Cmr. Paisner asked for any changes to the content.

Cmr. Saunders noted that a correction to the minutes was needed on page 1, line 32-33. He suggested that the word "move" replace "more." There were no objections to the change. The motion to approve the minutes carried unanimously.

Meeting Dates:

The next regular meeting is scheduled for June 9, 2020. Cmr. Paisner suggested the schedule be discussed later in the meeting.

Reading of Written Citizen Comments:

Director Bennett, staff and Commissioners took turns reading several emails of citizen comments submitted prior to the meeting. The full contents of each comment is included below:

Comment 1

From: Barbara Sharkey <barbsharkey@comcast.net>

Sent: Monday, May 11, 2020 10:59:57 AM

To: Stephen Bennett; Stephen Bennett

Subject: comments for Planning Commission Meeting May 12

Dear Mr. Bennett

Dear Mr. Bennett,
Please read these comments at the next Planning Commission meeting on May 12

1 As a resident of Lake Forest Park, I have followed the Town Center Development with great interest.
2 I have just learned that code is being worked on by our consultant Otak and Mr. Bennett, with an August
3 timeline in mind.
4 I believe that citizens might be surprised, as I was, to know the coding is moving forward at this rate,
5 with little opportunity for citizen involvement due to the COVID-19 restrictions on gathering as well as
6 the planning moratorium.
7 I know that my neighbors and many others have concerns about the development and expressed
8 themselves through the various VISION processes.
9 The inability to have public meetings shouldn't result in residents being left out of important
10 conversations and opportunities to express their opinions.
11 Is there any way to keep the citizens updated on a regular basis, at a minimum monthly, as to where you
12 are in the process? It seems as if there must be at least one email group list that has been established,
13 as email addresses were collected at almost every open house/meeting that occurred.
14 Thank you.
15 Sincerely,
16 Barbara Sharkey
17

18 **Comment 2**

19 **From:** Nancy Johnson <islandgirlnancyjo@gmail.com>
20 **Sent:** Monday, May 11, 2020 11:55 AM
21 **To:** Stephen Bennett; Stephen Bennett
22 **Subject:** Comments for Planning Commission Meeting - May 12, 2020

23
24 Dear Mr. Bennett,
25
26 We are residents of Sheridan Beach in Lake Forest Park and have been following the proposed
27 redevelopment of the Town Center for some time now.
28 We were distressed to learn that the code is being worked on and is moving forward toward an
29 August timeline with little or no citizen input due to the pandemic.
30 It is inexcusable to leave residents out of crucial planning meetings regarding the moratorium
31 and other processes when we have attended and voiced concerns at other meetings in the past.
32 We would appreciate being updated as to timing of the process and being given a way to make
33 ourselves heard.
34 After all, we're all in this together.

35
36 Stay safe.
37 Thank you for your time,
38 Nancy and Howard Johnson
39 206-235-5400/206-919-3639
40 islandgirlnancyjo@gmail.com
41 hojoav8@gmail.com

42
43 **Comment 3**

44 **From:** David Shneidman <davidsh@gmail.com>
45 **Sent:** Monday, May 11, 2020 5:22 PM

1 **To:** Stephen Bennett
2 **Subject:** May 12 meeting public comment
3

4 Dear Mr. Bennett:

5
6 I am a 30 year resident of Lake Forest Park.

7 My career has been in pathology, the study of human disease.

8
9 In this moment of COVID pandemic the elective creation of multistory New York style high
10 density housing could be a public health danger to the community around it.

11 These plans should be put on pause until the current situation is resolved.

12
13 I would like this comment read as a Lake Forest Park resident public comment at the May 12
14 meeting of Town Center Vision Implementation Planning Commission.

15
16 Thank you very much.

17
18 Sincerely,
19 David Shneidman MD

20
21 **Comment 4**

22 **From:** Place/Anderson <bigfun4@comcast.net>

23 **Sent:** Monday, May 11, 2020 7:14 PM

24 **To:** Stephen Bennett

25 **Subject:** Slow down Town Center density upgrades

26
27 It makes me nervous when a contentious program like the Town Center density
28 upgrade progresses while we are being told to take a pause. Massive changes like
29 these need to be made in the open by elected representatives and the people that live
30 in LFP-not by for-profit corporations operating under the cover of the pandemic
31 shutdown.

32
33 Slow down. It can wait. Do it right.

34
35 Greg Anderson
36 LFP resident

37
38 **Comment 5**

39 **From:** Tom Hoffmann <tomh@cardinalheating.com>

40 **Sent:** Monday, May 11, 2020 7:16 PM

41 **To:** Stephen Bennett

42 **Subject:** Town center code

43
44
45 No critical decisions should be allowed without public input as is usual in normal circumstances.
46 It should not be discovered that city officials or consultants have taken advantage of the the general publics rights

1 to comment and transparency of city planning being restricted as a result of the COVID-19 shut down.
2
3 message sent from my phone - sorry about brevity or typos
4
5
6

7 **Comment 6**

8 **From:** Connie Keith-Kerns <nightingalecare@gmail.com>
9 **Sent:** Monday, May 11, 2020 8:34 PM
10 **To:** Stephen Bennett
11 **Subject:** Please postpone these decisions

12
13 Can we please hold off on the new Town Center planning for now? This is certainly not the time
14 to be plowing ahead with such a huge project like this in light of what is going on in the world
15 right now. Your meeting tomorrow (Tues) was just brought to my attention and it's surprising as
16 folks in the community are not there to weigh in on such important matters.

17 Thanks!

18 Connie Keith-Kerns
19 LFP resident since 1987 and small business owner here since 2004.

20
21 **Comment 7**

22 **From:** Terri Cote <terricote@icloud.com>
23 **Sent:** Monday, May 11, 2020 10:20 PM
24 **To:** Stephen Bennett; Evelyn Jahed
25 **Subject:** Writing of Town Center Code?

26
27 Attention Steve Bennet
28
29 Steve,

30
31 My husband and I have heard that the Town Center Code is being written while we are sheltering in place with
32 Covid 19. If this is true, we are shocked and so disappointed that this could even happen after massive public
33 comment last year. Our city representatives promised to listen to the LFP community and represented that they
34 would not be making big changes in the current zoning. We are under a development moratorium and a pandemic
35 emergency!

36 The future of the Town Center needs to be shaped by its elected government and with involvement of its
37 citizens! There is no opportunity for an in-person public meeting.

38
39 Slow down! Wait for our emergency to be over!

40
41 Who is making the critical decisions for the Town Center code based on the Town Center Vision and EIS?

42
43 How can this even happen when we are under a government emergency with no real public meeting?

44
45 Where are the checks and balances with elected officials?

46
47 Are city council members holding to their campaign promises of no more than 300 dwelling units?

1 Thank you,
2
3 Terri and Dale Cote
4 Lake Forest Park resident
5

6 **Comment 8**

7 **From:** catherine broom <c.broombosley@gmail.com>
8 **Sent:** Tuesday, May 12, 2020 7:48 AM
9 **To:** Stephen Bennett; Evelyn Jahed
10 **Subject:** Urgent re Town Center Development.

11 Mr Bennett,

12 It has come to my attention that activity is in process on new codes regarding development of
13 our Town Center with a target completion date of August 2020. In 2019, City Representatives
14 indicated that they would listen to public input from the community.

15 I am writing to ask that you uphold this commitment throughout the process.

16 The LFP website regarding Covid 19 as updated on 05/07/2020 indicates that Work sessions
17 related to City Council meetings are canceled for the immediate future. In accordance with our
18 Governor's orders, public meetings have been suspended. Furthermore, the City remains
19 under a Development Moratorium.

20 The LFP Planning Department mission includes "creating policies and regulations that will
21 facilitate community visions". A stated objective is to "Be responsive to citizens who are
22 concerned about development projects proposed by others by facilitating access to project
23 application materials and providing clear and informative responses to their questions about
24 proposed projects and the City's regulations."

25 The Planning Commission, which is required by law, has been working in good faith to provide
26 input regarding development of the Towne Center. The Planning Commission's role is to
27 provide "recommendations to the Mayor and City Council for changes and updates to the
28 Comprehensive Plan, zoning code, and land use policies. As citizen representatives,
29 commissioners recommend programs and policies according to the needs and values of the
30 community."

31 Your commitment must be to the community, not to the consultants. While Otak Consultants
32 may be able to work during this pandemic emergency, public meetings cannot move forward. I

33 The Planning Commission and Public input from LFP citizens are crucial to development
34 decisions that reflect our community vision. Citizen input is crucial to development in this small
35 community.

36 The Planning Commission is one part of the checks and balances process. They must be
37 involved in drafting zoning codes and in shaping the next development phase.

38 Movement forward must include LFP citizen input. I urge you to pause during this time when
39 citizen involvement is curtailed by our pandemic emergency.

40 I appreciate your attention to this matter. I watch for you, the Planning Department and the City
41 Council to be mindful and responsive to its obligation to the citizens of our community.

1
2
3 Repsectfully,
4 Catherine Broom
5 19201 46th Av NE. LFP 98155
6

7 **Comment 9**

8 **From:** Jack Tonkin <jacklfp67@gmail.com>
9 **Sent:** Tuesday, May 12, 2020 8:00 AM
10 **To:** Stephen Bennett
11 **Cc:** Evelyn Jahed
12 **Subject:** Planning Commission Meeting May 12
13

14 Dear Steve,
15 If I understand correctly, you and the consultant, Otak, are in the process of writing the new draft code
16 now as it will apply to the Town Center development. This code will include the elements of height,
17 density, amenities, etc., and it is scheduled to be presented to Council by August.
18

19 If true, I find this a very disturbing action on your part given we have both a development moratorium
20 and government emergency ruling shutting down public meetings. This pandemic has also shuttered
21 most businesses causing major unemployment and shelter in place demands for residents.
22

23 As Planning Director, your duties are to work in partnership with the Planning Commission to ferret out
24 the development issues facing the Town Center development, not holding private meetings with Otak
25 making code decisions without public review of the process and without the contributions of the
26 Planning Commission.
27

28 The more prudent action you can take in today's (Tuesday) meeting is to engage the Planning
29 Commission to continue developing a code that retains the elements of LFP citizens, not the radical
30 elements created by Otak in early public meeting. Then, once this pandemic relaxes and pubic meetings
31 are in play once again, you can draft your proposal and submit it for Council and public comment.
32

33 Respectfully, Jack Tonkin
34

35 **Comment 10**

36 **From:** michele hausman <familyhausman@gmail.com>
37 **Sent:** Tuesday, May 12, 2020 10:52 AM
38 **To:** Stephen Bennett
39 **Subject:** LFP Towne Center
40

41 To Steve,
42

43 It has come to my attention that the Planning Commission may be making critical decisions
44 about the Towne Center without any public meetings. This concerns me greatly. You need to
45 slow down. Who is making the critical decisions about what should be changed and what
46 should go into the new Town Center code based on the Town Center Vision and EIS?

1 Where are the 'checks-&-balances' with elected officials; Planning Commission and City
2 Council? Are City Council members holding to their campaign promises of no more than 300
3 dwelling units?

4
5 Best,
6 Michele and Eric Hausman
7

8 **Comment 11**

9 **From:** Katherine Comeau <katherinecomeau@yahoo.com>

10 **Sent:** Tuesday, May 12, 2020 11:23 AM

11 **To:** Stephen Bennett

12 **Cc:** Shary Van

13 **Subject:** Please read at tonight, May 22th's meeting. Thx

14
15 Regarding the current pace of the planning for Merlone Geier's apartments at Lake Forest
16 Park Town Center.

17 During the current world pandemic, could we please press pause on this project?
18 Communication sources for this project have their glitches that prevent full participation by the
19 public. The pandemic itself has taken precedent over our concern for this project. The public is
20 not aware of the present active planning in the development for the Town Center.

21 This is not the time for this project.

22 Thank you.

23
24 **Comment 12**

25 **From:** myragamburg@comcast.net <myragamburg@comcast.net>

26 **Sent:** Tuesday, May 12, 2020 11:25 AM

27 **To:** 'Jack Tonkin'; Stephen Bennett

28 **Cc:** Evelyn Jahed

29 **Subject:** RE: Planning Commission Meeting May 12

30
31 Attention Steve,

32 Re: Development of Town Center draft code:

33
34 With due respect that everyone is doing their best to keep the city's governmental obligations alive and
35 well in these challenging times, I agree with Jack Tonkin that we must protect the public process and
36 not sacrifice it or take short cuts in order to move ahead. I agree very heavily with Jack Tonkin's
37 recommendations in the letter below, both in the reminder about your duties as Planning Director and
38 in aiming for ultimate public meetings reviews conditions when health conditions allow.

39
40 Respectfully,

41
42 Myra Gamburg

43
44 **Comment 13**

1 **From:** maystork@aol.com <maystork@aol.com>
2 **Sent:** Tuesday, May 12, 2020 3:39 PM
3 **To:** Stephen Bennett <SBennett@ci.lake-forest-park.wa.us>
4 **Cc:** Evelyn Jahed <evelyn@ci.lake-forest-park.wa.us>
5 **Subject:** Town Center code changes - please wait for public to come out of sheltering
6
7 Hello Steve and Evelyn,
8
9 Can you please forward this letter to the City Council and Planning Commission members? I would
10 appreciate that gesture on your parts.
11
12 With so many citizens of Lake Forest Park being of the age of vulnerability to this Covid-19 virus, most
13 are still sheltering in place, and having to devote time to figuring out safe ways to get groceries, medicine,
14 health care, and all the everyday tasks plus extra cleaning and care with everything.
15
16 The shutdown of City Hall and meetings should also apply to the rewriting of codes that the public will
17 have little or no time to understand and comment upon.
18
19 We are under a MORATORIUM and a nationwide PANDEMIC emergency. Washington state will be one
20 of the last to open after being about the first to shut down. And then there must be safe ways for the
21 public to attend commission and council meetings. All of this will take time.
22
23 Please allow citizen input from those who do live here and use the Town Center for their daily needs and
24 activities. There is enough chaos and disruption in our lives without having a code change that will turn
25 the heart of our city into something we don't want!
26
27 Most of us do want the ACE Hardware and landscaping products to remain. What happens to all of that
28 during construction of the parking garage, and other site changes? That is the one place we CAN shop
29 right now, and the variety of items helps us avoid car trips other places farther away and where people
30 are not as careful about keeping distance and wearing masks.
31
32 We need to be safe in these times. We need the farmers' market in these times. We need to be able to
33 live without further disruption, and this virus is going to be with us for months more if not years.
34
35 Please continue with the moratorium and think of the safety of we citizens as we navigate and try to keep
36 well.
37
38 Respectfully submitted,
39
40 Stephanie and Emile Ninaud, resident since 1970.
41

42 **Comment 14**

43 -----Original Message-----
44 From: Michelle <shellnew@yahoo.com>
45 Sent: Tuesday, May 12, 2020 4:08 PM
46 To: Stephen Bennett <SBennett@ci.lake-forest-park.wa.us>; Evelyn Jahed <evelyn@ci.lake-forest-park.wa.us>
47 Subject: LFP Town Center
48
49 I'm writing to stress that work on the Town Center code should not continue until a time when the
50 Planning Commission and community members can once again participate.
51
52 Regards,

1 Michelle Newman
2

3 **Comment 15**

4 **From:** Randi Sibonga <randi.sibonga@gmail.com>

5 **Sent:** Tuesday, May 12, 2020 4:57 PM

6 **To:** Evelyn Jahan <evelyn@ci.lake-forest-park.wa.us>

7 **Subject:** COMMENT FOR PLANNING COMMISSION MEETING - TUESDAY, MAY 12, 2020

8
9 Good evening, Commissioners,

10
11 My name is Randi Sibonga and my address is 17410-44th Ave NE, LFP 98155.

12
13 I could not have anticipated the urgent need to address you tonight, in the midst of a global
14 pandemic, when city hall is closed, our city government is all but shut-down and all of us are
15 living in isolation. But I'm deeply concerned that tonight, contrary to my understanding and all
16 of my neighbors, you may be initiating a work plan of major and longstanding significance for
17 this community and the future of Lake Forest Park. And that your massive work assignment of
18 finalizing recommendations for nearly an entire chapter of our city code, requires wrapping it up
19 within the inexplicable timeline of a couple of months. Which means that over the course of
20 four meetings, totaling less than ten hours of discussion, without the benefit of public hearings,
21 and working from draft regulations that none of us had set eyes on until a day or two ago,
22 you're expected to produce comprehensive regulations that will inform development of our
23 town center, the central hub of our community. All of this during an unprecedented global
24 emergency.

25
26 Please resist this timeline and resume your important responsibilities when we are all able to
27 fully engage in shaping the future of our City.

28
29 Thank you.

30
31 Ms. Randi Maya Sibonga
32 Cell: (206) 579-2834

33
34 **Comment 16**

35 May 12, 2020

36
37 TO Steve Bennet, Lake Forest Park Planning Director
38 FROM Julian Andersen
39 residing at 3377 NE 178th St, Lake Forest Park WA

40
41 RE Public Comment for May 12, 2020, meeting of Planning Commission
42 SUBJECT Old Business, Implementation of Town Center Vision

43
44 Commissioners, good evening.

45
46 I write to you tonight because of the urgency you feel from the Council's schedule and the delivery of
47 drafts from the Planning Department and from OTAK. I especially write because of the rising tension
48 between this urgency and the reduced public participation due to the CoVid-19 pandemic and the
49 necessary public health measures under which we live.

1 Because of the wide spread public dissatisfaction with the Town Center EIS and FEIS and with some of
2 the replacement and revisions proposed for sections of the existing Municipal Code, there is another
3 possibility of public objection blocking rapid action by the Council.

4
5 Commissioners, you have worked diligently on your task of recreating and rewriting significant portions
6 of the Municipal Code. Everyone who knows of your work should be very appreciative. Of course, the
7 final community judgement will be on your work product and on the development of Town Center that
8 results.

9
10 The review, by the public, of your final drafts deserve more time than your current schedule allows.
11 Letting this critical step be short changed by persisting with this schedule, risks the success of the whole
12 project. I would urge you to prevail on the City Council to create additional time for public review of
13 your final draft, so that when you do deliver your work product to the Council it can be supported by
14 well-informed, appreciative citizens.

15
16 Your principle advisors, the Lake Forest Park Planning Director and the OTAK consultants, are well
17 staffed and resourced. They bring to you polished work for your consideration. I hope that the strength of
18 what the advisors bring to you does not risk flipping your relative roles upside down.

19
20 As always, thanks to each of you for your time, experience, expertise, and devotion to Lake Forest Park.

21
22
23 **Discussion of the public comments**

24
25 Cmr. Morris noted that all comments indicated that code revisions should be delayed. Cmr. Saunders said
26 that there are no active projects proposed in town center and that these amendments are not new items on
27 the Planning Commission's agenda. He said that the Commission is finally working through the actual
28 details of the code changes, which should not a surprise at this point. Cmr. Larson agreed with Cmr.
29 Saunders. She said that stress could be a contributor to people's participation levels. Cmr. Fudge said he
30 was surprised at the scope of the code changes. He said he felt that the changes were not necessary to talk
31 about at this point with current directives from the State. Cmr. Larson asked if there were any rules
32 against entertaining the proposed Town Center regulations. Chair Paisner said he understands the
33 concerns and indicated that he would ask City Attorney Pratt to respond on that question. He concluded
34 by saying he agrees with Cmr. Saunders and Cmr. Larson and that he felt these changes are necessary and
35 routine. Ms. Pratt said she thinks that the City should determine what type of work is considered
36 necessary and routine, and indicated that there are all types of decisions and directions agencies are taking
37 during this period. She said that, if public hearings cannot be held, there would be a danger in not
38 finishing adoption of the regulations on schedule. She said that the Growth Management Act (GMA)
39 requires hearings, and that they could be held virtually, but LFP has not elected to hold online hearings.
40 She said she does not feel that what is on the Planning Commission's agenda now constitutes a violation
41 of state law. Cmr. Fudge said that he is not comfortable entertaining or providing a recommendation on
42 the proposed code changes given the public comments/interest and because of the pandemic. Cmr. Larson
43 said that she wanted to establish a schedule so that the Commission has some direction for their
44 recommendations to the Council.

45
46 Chair Paisner said that this online form of meeting is arguably more accessible and convenient than a
47 live meeting. He turned the floor over to Cmr. Fudge.

48
49 **Discussion of Additional Signage in the Town Center**

1 Cmr. Fudge said that he has been enjoying biking with his kids to Town Center during this time. He said
2 he wants to help businesses in Town Center. He shared a photo, which appeared on the screen. Cmr.
3 Fudge talked about signage in Town Center and said that views to upper level businesses don't exist, and
4 he said he would like to contact Merlone Geier (property owner) to see if they have ideas on improving
5 signage, which would need to be code compliant. He asked for people with expertise to weigh in on the
6 idea. He said that changes could be made without visual impact that most would notice. Cmr. Saunders
7 said he really liked the idea and that past owners at the site have asked for additional signage. Cmr. Gross
8 agreed with the proposal for additional signage at Town Center. Chair Paisner asked Director Bennett
9 about the suggestion.

10 Director Bennett said that he had previously looked into the issue of potential code changes for Town
11 Center signage to facilitate more options for interior businesses. He suggested that the Commission could
12 recommend something to the Council. Ms. Pratt said that a public hearing is required for changes to
13 development regulations. She said that the existing problem is compounded by the virus, but that the
14 Mayor could do an emergency order to enact the code change. She said that staff and the Mayor could
15 get it done without the Planning Commission having to recommend the action. Cmr. Gross agreed that
16 action was needed now. Councilmember French said that he agrees with having emergency action by the
17 Mayor and staff for this code change. Cmr. Lebo offered his support for the issue and suggested banner
18 signs as a possible program to increase signage at Town Center. Councilmember French said that there
19 could be federal dollars that could be accessed for the program. Cmr. Lebo moved to recommend that
20 City Council support emergency action to help interior businesses in Town Center by allowing temporary
21 banners for those business. The motion was seconded by Cmr. Gross and passed unanimously.

22

23

24

25 **Report from City Council Liaison**

26

27 City Council Liaison Tom French said that all the comments read earlier in the meeting had been
28 thoughtful. He said that the public process is important to the Council and that they are looking to make
29 it as affective as possible. He noted that some may not have internet access now, with their financial
30 situation in flux. Most cities are not conducting new business online because of the inherent participation
31 issues that are perceived. He said that some are very unhappy with the current public process. He
32 mentioned that a schedule for Town Center has been created in the past and said that he personally does
33 not want to see anything move forward that isn't informational in nature and that no decision making
34 should occur. He indicated he would like to see a very robust public process and that he wants to see
35 input from the public on the type of public process that they would like to see on these types of issues.
36 He said that he Commission should proceed how they see best. He said that the Council won't take
37 action on anything until a normal public process meeting without social distancing can occur. He
38 indicated that decisions could occur if the state re-evaluates the required public process so that citizens
39 and individual rights are maintained. He indicated that he would like the community to move forward at
40 a measured pace and that a moratorium cannot stop progress. He believes that progress can mean
41 discussion and not actions or recommendations and asked City Attorney Pratt to weigh in.

42

43 Ms. Pratt said that the Council needs to document what has occurred so that they can demonstrate it
44 through findings, if an extension of the moratorium is going to be considered. Councilmember French
45 said he agreed with that statement.

46

47 Cmr. Saunders asked if Sound Transit had an update because the Planning Commission's
48 recommendations on the Town Center included scenarios for the 522 corridor. Councilmember French
49 said that all Cities are in the same boat with regard to working with Sound Transit. Chair Paisner said
50 that he is frustrated that the Commission has been directed to not make decisions. He asked for
51 clarifications on what the expectations should be. He said that the timeline on the moratorium and the

1 pandemic are in direct conflict and suggested that the discussion move to the approach and schedule for
2 additional recommendations on Town Center code changes.

3
4 Cristina Haworth introduced the memorandum regarding the proposed schedule and approach on Phase 2
5 code amendments. She said that code sections 18.42.010-080 will be the first to be discussed and that the
6 schedule was based on the moratorium expiration date in September and that it was created with that
7 timeline in mind. She noted that comments from citizens were generally in opposition to the compacted
8 schedule. She went onto describe some of the specific code amendments and how they relate to the topics
9 of discussion for future meetings. She concluded by explaining how related code and design guidelines
10 would be presented together.

11
12 Cmr Lebo said that the Commission is very deliberative and that robust discussions often occur on any
13 topic the Commission evaluates. He said that the past work plan schedules haven't really been met, but
14 that he feels like more time should be spent in discussion on each topic. Cmr. Katz said that the public
15 comments indicated that decisions shouldn't be made and that she agrees with extending the moratorium.
16 She said that she is in favor of discussions on the topics presented. Cmr. Katz said that public input
17 should be provided with each draft of code changes. She said that she would rather make code changes in
18 a regular setting and, that due to the pandemic currently occurring, opportunity for additional study on the
19 issues most important to Town Center development can occur.

20
21 Cmr. Saunders agrees with Cmr. Katz and said that the schedule is too aggressive and that these issues
22 need more public outreach. Cmr. Gross agreed that the schedule is too aggressive and that the meetings
23 are presently not efficient. Cmr. Morris said that he is against non-regular meetings. Cmr. Larson said
24 she would like to make good use of this time. She said that density is the key issue for Town Center. She
25 said that the modeling around density limits should be studied. Cmr. Fudge said that public input should
26 occur prior to any decision making and as soon as possible. He said he is unclear about what strategies
27 will be used to set densities. Chair Paisner said he thought everyone is on the same page regarding the
28 schedule and approach.

29
30 Director Bennett said he was hearing that the Commission wanted take some of the more challenging
31 issues like height and density and explore what the ramifications are of increases and decreases. Cmr.
32 Larson asked about the spreadsheet the Commissioners had contributed to earlier and asked if they could
33 revisit that work. Director Bennett said that it can be brought back and noted that it had been useful in
34 drafting design guidelines. He mentioned the possibility of conditional setback regulations. Cmr.
35 Saunders indicated that he agreed with the direction. Cmr. Fudge said that outreach to the public is very
36 important. Director Bennett suggested that a memorandum from staff to the Commission be posted in
37 advance regarding each meeting's topics. Cmr. Katz said that City staff could also help with the
38 announcements and potential press releases regarding the direction of the Commission during this time.
39 Chair Paisner said that he agrees with Cmr. Katz's statement.

40
41 Cmr. Larson said that she would like to understand the legal implications of potential regulation changes.
42 Chair Paisner suggested the Commission discuss what they would like to talk about at the June meeting.
43 Cmr. Larson said that the topics for each future meeting should be published for the public. She
44 mentioned building massing as a potential topic of discussion and said that Cmr. Gross's model could be
45 made to utilize and illustrate possibilities. Cmr. Fudge said that he would like to discuss regulating
46 density. He said that building height may not be the best method to regulate density. Director Bennett
47 summarized the conversation and offered to move efforts towards that direction. He asked the
48 Commission for concepts to discuss in the coming months. Cmr. Larson would like to explore a strategy
49 to regulate density, open space, building height, and impervious surfaces. Ms. Pratt summarized what she
50 understood as the topics for future meetings and said that the summer should be used as a study time for
51 the important topics. Cmr. Saunders said that visual aids will make a huge difference. Director Bennett

1 said that he would prepare some ideas and get back to the Commission with some suggested discussion
2 topics to analyze. Cmr. Fudge asked if they would like input on how to involve others in addition to the
3 Planning Commission. He offered to write a narrative to share with the community.
4

5 Cmr. Larson said she would like to see an official document from the City that discusses how decisions
6 are being made. Councilmember French agreed with that idea and said that he has been discussing items
7 like that type of communication with other staff and Council. He said that a statement could be made and
8 appreciates Cmr. Fudge's offer to write the copy. Chair Paisner said that they made a decision this
9 evening to take the Town Center process slower and be more deliberate because of the pandemic. He
10 emphasized that the code presented to this point will only be a beginning point from which the
11 Commission can start. Councilmember French acknowledged everyone's hard work on this process.
12 Cmr Larson asked why the repeal and replace method of code change still appears in the agenda as a
13 strategy, while some have offered negative public comment on the issue because it is confusing. She
14 asked for input. Cmr. Katz said that the term and strategy has gotten a bad reputation, wherever it has
15 been used. She suggested calling the proposed changes an update. Chair Paisner offered his opinion and
16 agreed with Cmr. Katz. Ms. Pratt said that the ordinance format will clearly show what is being deleted
17 and what language is being added when it is forwarded for adoption. She said that the community should
18 be able to clearly see the differences but that the Commission doesn't always use that format, which may
19 be a source of confusion. Ms. Haworth indicated that the repeal and replace method of presenting code
20 changes would not be used in the future.
21

22 Chair Paisner said that he felt that the agenda for next meeting was covered earlier. He said that some
23 public comments were directed towards individuals, but that he appreciates the work that staff does and
24 what the consultants are doing. He said that he views the work as important and he said he feels like all
25 have had a chance to participate. Director Bennett thanked Rhonda Siner for her help in hosting the
26 meeting. Cmr Paisner said that elections of officers should be on the next agenda. He mentioned that he
27 will be stepping down as Chair. Cmr. Larson and Cmr. Saunders also said that staff should be
28 commended.
29

30 **New Business**

31 None.
32

33 Cmr. Katz provided information on how to access a high school performance.
34

35 **Reports and Announcements**

36 None.
37

38 **Agenda for Next Meeting:** Similar to this agenda.
39

40 Cmr. Larson moved to adjourn the meeting, Cmr. Fudge seconded, and motion carried unanimously.
41

42 **Adjournment:** 8:59pm
43

44 APPROVED:
45

46 _____
Joel Paisner, Vice Chair



Memorandum

To: Planning Commission
From: Steve Bennett, Planning Director
Date: June 4, 2020
Re: June 9, 2020 Planning Commission Virtual Meeting
Attachments: 1. Kenmore Downtown Development materials
2. Upper Town Center 'Test to Fit' Concepts A and B

At the June meeting, the objective is to have a discussion on density and open space in order to eventually arrive at a residential density limit and open space requirements that Commissioners think would be appropriate for the Town Center zone. If the City is going to require public open space be provided by the developer, the amount of density allowed will have a direct relationship to the quality and quantity of open or community space that can be acquired through development. There are certainly other factors that will play into these decisions as well.

One way to get a handle on the balance between density and open space is to analyze the outcomes of other development projects. The Kenmore Downtown (Kenmore Village) provides an example that may be helpful in developing an understanding of this balance. Attachment 1 is a set of slides that provide some background on the project.

Kenmore Downtown/Village Case Study (Attachment 1)

One key difference between LFP Town Center and Kenmore Village is that the City of Kenmore owned the majority of the land that made up the entire project area (9.6 acres). Kenmore worked with Main Street Property Group, who purchased properties within the project site and developed them with multifamily and mixed use buildings.

The first multifamily project was the Spencer 68, which has a similar project area as the upper part of the LFP Town Center. The Spencer was built on a 4.7-acre site (upper TC is roughly 4 acres) and has 222 units (Phase 1 and 2) ranging from 565 sq.ft. studios to 1525 sq.ft. three-bedroom/three-bath townhomes. The Spencer was developed within Kenmore's base density limit of 48 units per acre.

The LINQ at Spencer Square is a mixed use building that includes 94 residential units, as well as, medical office space (20,000 sq. ft.). It is located on a 1.1-acre parcel, so the density is quite a bit higher. The Fly Way building, which was completed last year, has 27 units, 6000 sq. ft. of retail, and is built on a 0.9-acre parcel.

In terms of open space, the Spencer 68 has quite a few amenities that are dedicated to serving only the residents of the complex. The other two projects are denser and appear to only have private open space in the form of balconies, rooftop decks, and community rooms.

Public community/open space for the overall Kenmore Village site includes the Hanger community building and a plaza that is known as Town Square. The plaza's sense of place is enhanced by being framed on one end by the Hanger and by the Sea Plane restaurant on the other. The Town Square and the Hanger building only occupy about a half acre, however, the general consensus appears to be that the quality of the indoor/outdoor combined space is very high.

Another aspect of these Kenmore projects that quickly becomes apparent is that they have a lower level of parking per unit/sq.ft. than the LFP code currently requires. With 222 units, the Spencer only has 230 parking spaces (including single garages with town homes, surface parking, and tuck-under/below structure parking). The Fly Way building has 25 covered spaces to serve its 27 residential units (the commercial space may be served by adjacent surface parking) and the LINQ building has 46 secure spaces and 102 unsecured ones (148 total) to serve its 94 residential units and 20,000 sq.ft. of medical office space (according to County Assessor information). If the LINQ building were to be built in the LFP Town Center, it would be required to have 221 parking spaces (1.5 per MF residence + 1 per 250 sq.ft. of office) – almost 50% more (see the last few pages of Attachment 1 for information about Kenmore's parking requirements).

Test of Fit Concepts for the Upper Portion of Town Center (Attachment 2)

There have been numerous references to a 300 unit (or less) residential density limit in the public comments received by the Commission. It seems appropriate to consider what that might look like as part of the discussion on Tuesday. Our Otak team has prepared the attached Concepts A and B to explore this level of density in a little more depth than previous studies have.

If the central and lower wings of the shopping center remain and the upper wing to the north is removed, approximately four (4) acres would be available to develop in the northern triangle area. Concepts A and B apply two different residential density levels to that area.

Concept A: This concept assumes multifamily residential buildings similar in mass/scale and height to Spencer 68 in Kenmore. The buildings are 4 or 5 levels above grade and could potentially have below grade structured parking as well as some surface parking.

Test of fit results:

- We could squeeze in 300 multifamily units, but it is tight (see "Key Challenges" below).
- The code requirement would be 450 (1.5 per unit x 300) spaces, but we find that you could only fit around 350 parking spaces, while still providing some open space.
- This concept assumes that there would be ongoing businesses in the hardware store and in the upper level of the shopping center that also would require parking.

UNIT SIZES ASSUMED FOR CONCEPT A:

Multifamily development was assumed to fit a formula of sizes typical of the market in more suburban areas. Referencing multiple sources of information and statistics (including

information supplied by Merlone Geier Partners), the following typical unit sizes in the Puget Sound regional market and percentages of unit sizes are assumed for Concept A:

- 10 percent studios at 450 to 550 SF
- 40 percent 1 BDR units at 650 to 750 SF
- 40 percent 2 BDR units at 850 to 950 SF
- 10 percent 3 BDR units at 1,000 to 1,200 SF

This calculates to an average unit size of approximately 800 square feet. A gross of 1,000 square feet per unit is assumed to provide additional space in buildings for circulation, mechanical systems, and other elements.

Concept B: This concept assumes three-story townhome buildings (25 units) and three, five-story, multifamily buildings. Parking is provided through a combination of surface parking, tuck-under (sheltered parking on the ground-level as seen in some Spencer 68 buildings) and individual single car garages for the townhomes.

Test of fit results:

- This concept yields 201 units (adding townhomes into the mix resulting in a lower yield of units).
- The number of parking spaces required would be 302 (1.5 per unit x 201), but we are showing that you could potentially fit around 275 parking spaces while providing some open space
- Concept B has a higher proportion of 3-bedroom units given the addition of the townhomes, which all are assumed to have 3 bedrooms.
- This concept also assumes that there would be ongoing businesses in the hardware store and in the upper level of the shopping center that also would require parking.

Key Challenges of Concepts A and B

- The triangle shape of that northern area creates inefficient site planning – difficult to fit rectangular buildings.
- While a central open space area can be provided in both Concept A and Concept B, it is not one-half acre minimum
- Both concepts are challenged in providing sufficient parking for the residential and commercial (hardware store; backside of shopping center), unless a shared use agreement is reached for shared use of the commuter parking structure.
- Given that parking is difficult to fit, two options could be considered:
 - Shared parking with the commuter structure - we anticipated that between 50 and 120 stalls would be needed in each concept for commercial uses in the northern triangle.
 - Reduce required parking ratios given access to bus rapid transit at the site.

Potential Discussion Questions

Will the amount of open space that is attainable in the Town Center be affected by the minimum parking requirements?

Should Lake Forest Park could consider multifamily parking requirements for Town Center that vary based on unit size like Kenmore's (see Attachment 1)?

What other factors need to be considered to arrive at an appropriate maximum residential density for Town Center?

Kenmore Downtown Development Information



SUMMARY OF DOWNTOWN KENMORE COMMERCIAL ZONING STANDARDS*

Standard	Requirement
Base Density (Dwelling Units / Gross Acre)	48
Maximum Density (Dwelling Units / Gross Acre)	72
Base Height	35'
Maximum Height	65'
Maximum Impervious Surface (%)	90%

*Note - Refer to Kenmore Municipal Code Title 18.25.040 for full details

Kenmore Downtown Redevelopment (also known as Kenmore Village)

Property Owners/Partners:

City of Kenmore
Main Street Property Group, LLC
Multiple Other Partners

9.6 acres of property at the northwest corner of 68th Avenue NE and NE 181st Street—property that, from 1999 to 2005, the City purchased and assembled for downtown development.

From 2006 to 2020 mixed use development projects including Spencer 68, the LINQ, and Flyway were developed, and new businesses such as Kenmore Camera and business incubator space was introduced. The Hangar, a new civic plaza “Town Square”, a skateboard park (next to City Hall), and the Seaplane restaurant also were developed.

Awards (Partial List):

PSRC VISION 2040 AWARD – Downtown Creation Project

BUILT GREEN 3-STAR

GOVERNOR'S SMART COMMUNITIES—Smart Partnerships Award

GOLD NUGGET MERIT—Best Community Land Plan

Websites for more information:

<http://www.kenmorewa.gov/downtown>

<http://www.kenmorewa.gov/CurrentProjects>

DOWNTOWN KENMORE

WHAT'S PROPOSED FOR THE NEXT PHASE?



FOR MORE INFORMATION, VISIT
WWW.KENMOREWA.GOV/DOWNTOWN





Kenmore Village Update

SPENCER 68 PHASE I
City sold the former King County Park & Ride (4.5 acres) to MainStreet Property Group in 2014. Phase I of 138 residential units, known as The Spencer 68, will be completed this Fall 2015.

SPENCER 68 PHASE II
Phase II construction has begun. Will include up to 90 residential units.



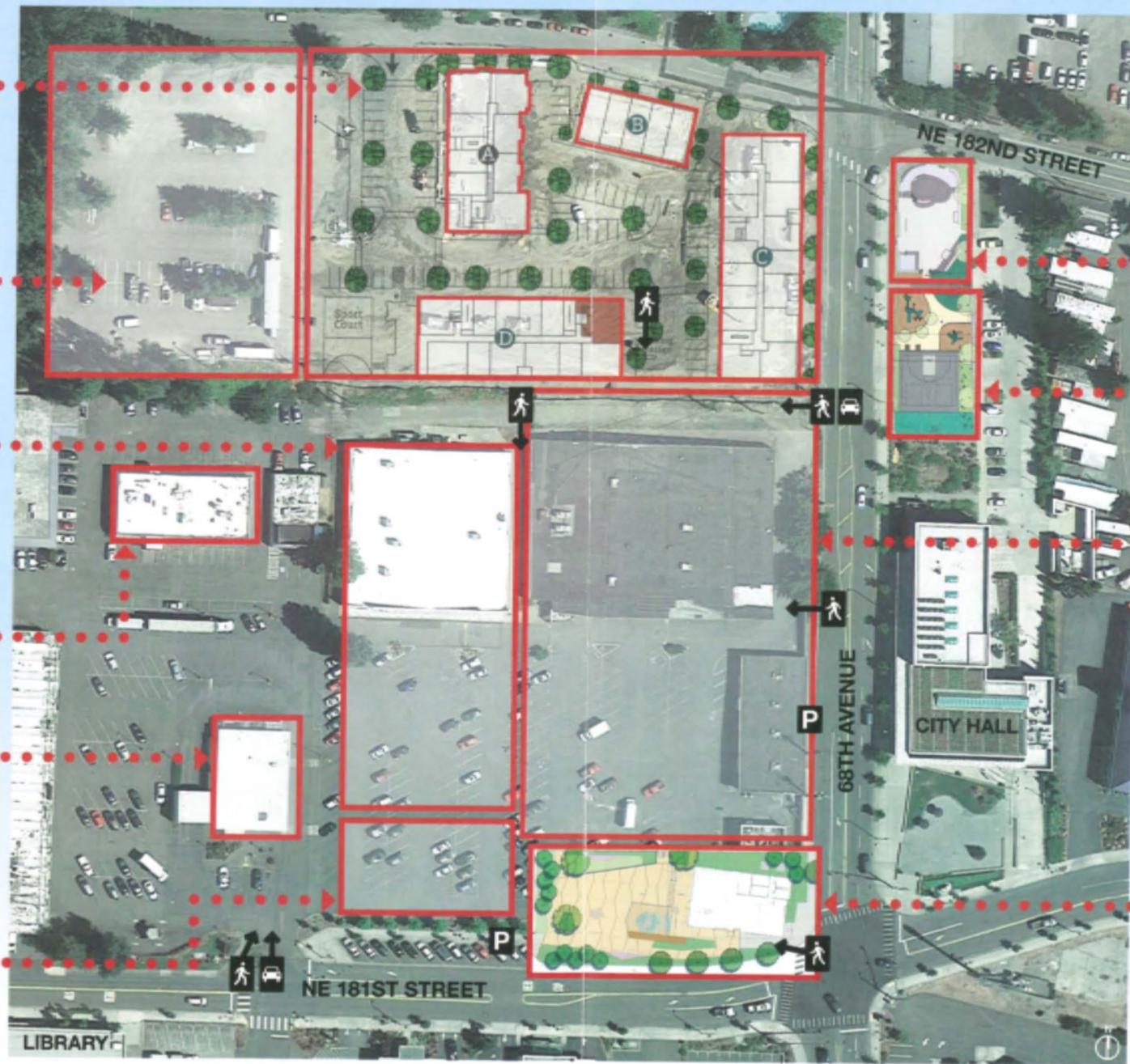
KENMORE CAMERA
City sold 1.25 acres to Kenmore Camera in 2013. They opened their new store in early 2014.

SPEEDY REEDY
New Triathlon store now open!



KENMORE POST OFFICE
City to retain ownership of the Post Office building. US Post Office recently renewed their lease with the City for an additional 5 years.

PROPOSED RESTAURANT
MainStreet has an option to purchase this parcel if they can produce a sit-down restaurant.



SKATE PARK PHASE I
New Skate Court to open Fall 2015.

SKATE PARK PHASE II
Phase II of City Hall Park not funded yet. Would include play structures, half-court basketball/pickle ball court.

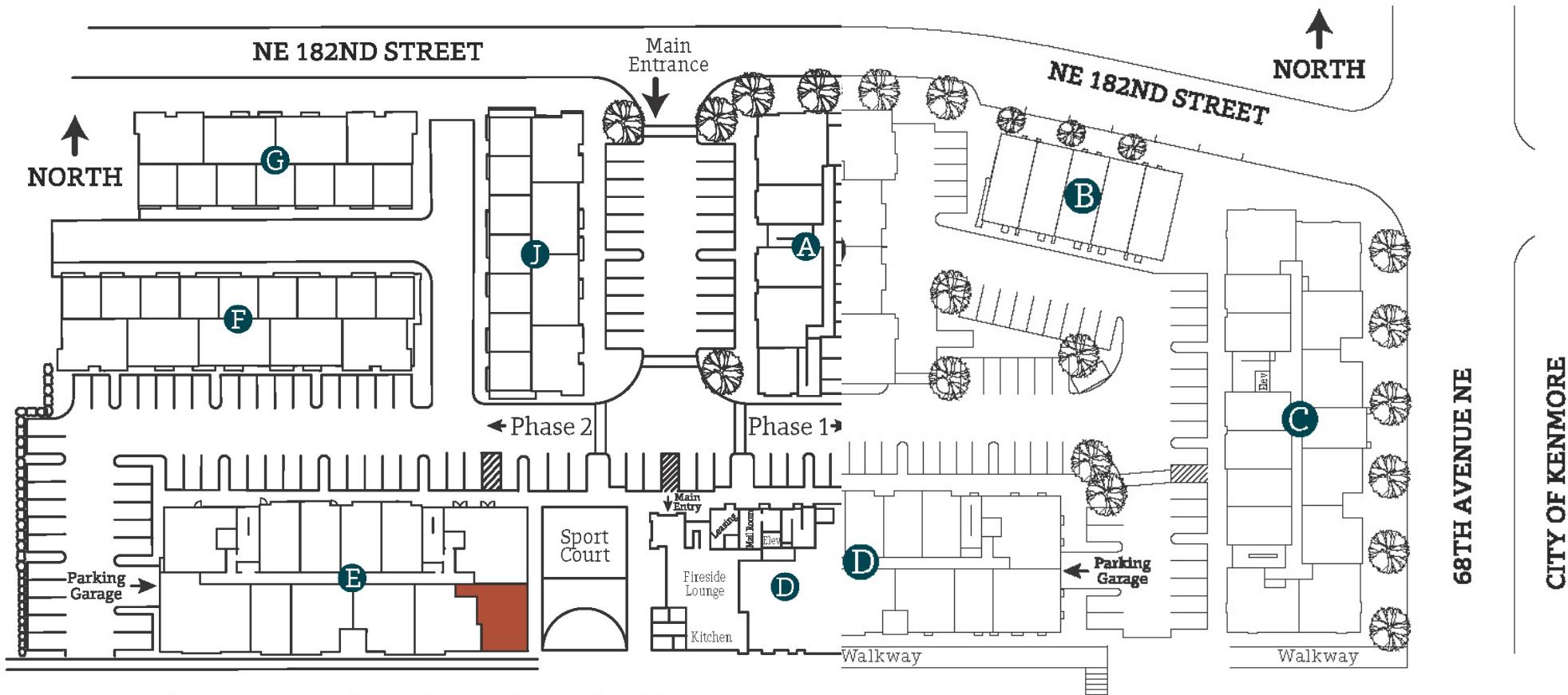
MIXED-USE
In March of 2015, MainStreet purchased remaining portion of Kenmore Village Commercial (2 acres). Planned for mixed-use - commercial and residential. Remaining vacant buildings were demolished in Aug.-Sept. 2015.

TOWN GREEN & COMMUNITY BUILDING
City to retain ownership of corner parcel for Town Green & Community Building which will include food retail (i.e. coffee, etc.).



Completion expected in mid-2016.

Kenmore Downtown Development Information



Connection to the Future Spencer Square Retail Area →

- A** The Trailhead **D** The Lake House **E** The Log Boom
- F** The Squire **G** The Summit **J** The Peak

Property Owners/Partners:

City of Kenmore

Main Street Property Group, LLC

Architect: Dahlin and GGLO; Contractor: GenCap

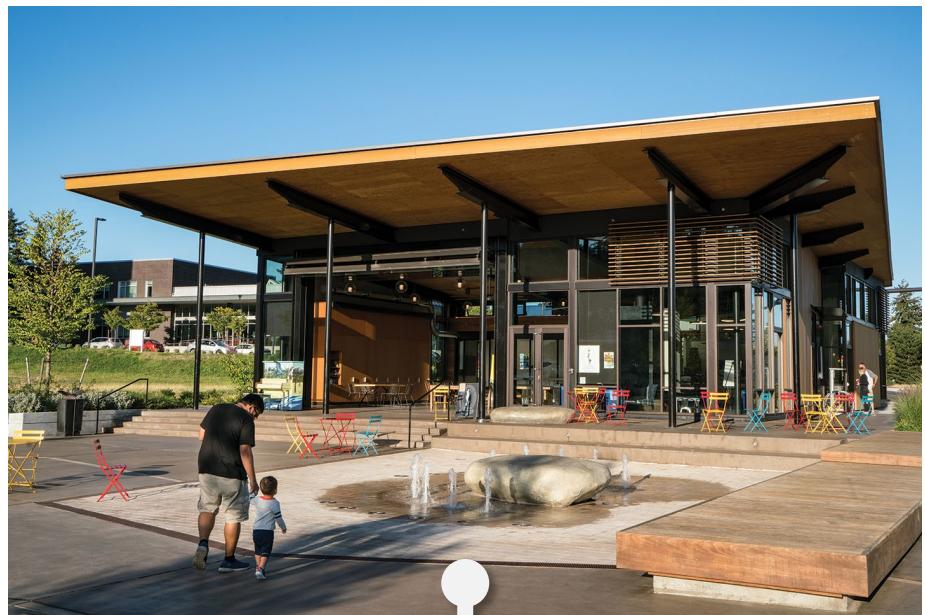
Phase 1 Completed in 2015; Phase 2 Completed in 2017; 4.7 Acre Site (48 du/acre)

222 Units with a mix of apartments and townhomes; units range from 565 SF open one bedrooms to 1525 SF 3-bedroom/3 bath townhomes; 230 parking spaces; Amenities for residents include a half-court basketball court and a regulation size pickle ball court. Indoor amenities include an indoor/outdoor kitchen, entertainment and game rooms, Reside Lounge, bike maintenance shop and workout facility. Inside, residents enjoy open floor plans, stainless appliances, full size washer and dryers and Lake Washington views from select units; views of Lake Washington; proximity of Burke-Gilman Trail; downtown redevelopment.





Seaplane
Restaurant



The Hangar
Community
Building



Kenmore Downtown Development Information

Downtown Parking Requirements

LAND USE	MINIMUM PARKING SPACES REQUIRED Citywide, Except in Downtown Commercial and Downtown Residential Zones West of 68th Avenue NE	MINIMUM PARKING SPACES REQUIRED Downtown Commercial and Downtown Residential Zones West of 68th Avenue NE
RESIDENTIAL:		
Single detached dwelling unit	2.0 per dwelling unit	2.0 per dwelling unit; tandem stalls permitted
Townhouse	2.0 per dwelling unit	1.5 per dwelling unit; tandem stalls permitted
Guest parking	1 space for every 5 units	1 space for every 5 units
Apartment:		
Microhousing dwelling unit	Within 1/4 mile of SR-522: 0.75 per dwelling unit. Otherwise, 1.2 per dwelling unit	Within 1/4 mile of SR-522: 0.75:du. Otherwise, 1.0:du. Tandem stalls permitted
Studio unit	1.2 per dwelling unit	1.0:du; tandem stalls permitted
One-bedroom unit	1.5 per dwelling unit	1.0:du; tandem stalls permitted
Two-bedroom unit	1.7 per dwelling unit	1.5:du; tandem stalls permitted
Three-bedroom unit or larger	2.0 per dwelling unit	1.7:du; tandem stalls permitted
Guest parking	1 space for every 5 units	1 space for every 5 units
Manufactured housing community	2.0 per dwelling unit	2.0 per dwelling unit
Senior citizen assisted living	1 per 2 dwelling or sleeping units	1 per 2 dwelling or sleeping units

Chapter 18.80 RESIDENTIAL DENSITY INCENTIVES AND TRANSFER OF DENSITY

Sections:

- [**18.80.010 Purpose.**](#)
- [**18.80.020 Permitted locations of residential density incentives.**](#)
- [**18.80.030 Maximum densities permitted through residential density incentive review.**](#)
- [**18.80.040 Public benefits and density incentives.**](#)
- [**18.80.050 Rules for calculating total permitted dwelling units.**](#)
- [**18.80.060 Review process.**](#)
- [**18.80.070 Minor adjustments in final site plans.**](#)
- [**18.80.080 Applicability of development standards.**](#)
- [**18.80.090 Transfer of density credits.**](#)

18.80.010 Purpose.

The purpose of this chapter is to:

A. Provide density incentives to *developers* of residential property, in exchange for public benefits to help achieve comprehensive plan goals of affordable housing, *open space* protection, and parkland acquisition by:

- 1. Defining in quantified terms the public benefits that can be used to earn density incentives;
- 2. Providing rules and formulae for computing density incentives earned by each benefit.

B. Provide a method to realize the development potential of:

- 1. Sites containing *critical areas* or of unique size or shape;
- 2. Specific *sites* preserved in order to achieve comprehensive plan goals as identified by the *city council*.

C. Provide a review process to allow evaluation of proposed density increases, using residential density incentives and the public benefits offered to earn them, and give the public opportunities to review and comment. [Ord. 19-0481 § 2 (Exh. A); Ord. 11-0329 § 3 (Exh. 1).]

18.80.020 Permitted locations of residential density incentives.

Residential density incentives (RDIs) shall be used only on *sites* served by public sewers and only in the following zones:

- A. In R-4 through R-24 and downtown residential zones; and

B. In DC, NB, CB, UC, WC, and RB zones when part of a *multiple-family dwelling* or *mixed use development*. [Ord. 19-0481 § 2 (Exh. A); Ord. 14-0391 § 2 (Exh. 1); Ord. 11-0329 § 3 (Exh. 1).]

18.80.030 Maximum densities permitted through residential density incentive review.

The maximum density permitted through RDI review shall be specified in the underlying zone of the *development site*. [Ord. 19-0481 § 2 (Exh. A); Ord. 11-0329 § 3 (Exh. 1).]

18.80.040 Public benefits and density incentives.

A. The public benefits eligible to earn increased densities, and the maximum incentive to be earned by each benefit, are in subsection E of this section. The density incentive is expressed as additional bonus *dwelling units*, or fractions of *dwelling units*, earned per amount of public benefit provided.

B. Bonus *dwelling units* may be earned through any combination of the listed public benefits.

C. Bonus *dwelling units* may also be earned and transferred to the project *site* through the *transfer of density credit (TDC)* process from *sites* other than that of the *RDI development*.

D. Residential *development* in R-4 through R-24 and downtown residential zones with property-specific development standards requiring any public benefit enumerated in this chapter shall be eligible to earn bonus *dwelling units* in accordance with subsection E of this section if the public benefits provided exceed the basic development standards of this title. If a *development* is located in a special overlay district, bonus units may be earned if the *development* provides public benefits exceeding corresponding standards of the special district.

E. The following are the public benefits eligible to earn density incentives through RDI review:

BENEFIT	DENSITY INCENTIVE
1. AFFORDABLE HOUSING	
a. Benefit units consisting of rental housing permanently priced to serve low-income households (i.e., no greater than 30 percent of gross income for households at or below 50 percent of King County median income, adjusted for household size). A covenant on the <i>site</i> that specifies the income level being served, rent levels and requirements for reporting to the <i>City</i> shall be recorded at final approval.	2.0 bonus units per benefit unit.
b. Benefit units consisting of assisted housing units 600 square feet or less.	1.0 bonus unit per benefit unit.
c. Benefit units consisting of rental housing permanently priced to serve moderate-income households (i.e., no greater than 30 percent of gross income for households at or below 70 percent of King County median income, adjusted for household size). A covenant on the <i>site</i> that specifies the income level being served, rent levels and requirements for reporting to the <i>City</i> shall be recorded at final approval.	1.0 bonus unit per benefit unit.

BENEFIT	DENSITY INCENTIVE
d. Benefit units consisting of moderate income housing reserved for income- and asset-qualified home buyers (total household income at or below 80 percent of King County median, adjusted for household size). Benefit units shall be limited to owner-occupied housing, with prices restricted to same income group, based on current underwriting ratios and other lending standards for 30 years from date of first sale. A covenant on the <i>site</i> that specifies the income level and other aspects of buyer eligibility, price levels and requirements for reporting to the <i>City</i> shall be recorded at final approval.	1.0 bonus unit per benefit unit.
e. Projects in which units are reserved for moderate-income- and asset-qualified buyers (total household income at or below 50 percent of the King County median, adjusted for household size). All units shall be limited to owner-occupied housing with prices restricted based on current underwriting ratios and other lending standards, and with prices restricted to same income group, for 30 years from date of first sale. Final approval conditions shall specify requirements for reporting to the <i>City</i> on both buyer eligibility and housing prices.	2.0 bonus units per benefit unit.
f. Benefit units consisting of <i>manufactured housing community</i> space or pad reserved for the relocation of an insignia or noninsignia <i>mobile home</i> , that has been or will be displaced due to closure of a <i>manufactured housing community</i> located in the <i>City</i> .	1.0 bonus unit per benefit unit.
2. OPEN SPACE, TRAILS AND PARKS	
a. Dedication of <i>park</i> site or <i>trail</i> right-of-way meeting the <i>City</i> location and size standards for neighborhood, community or regional <i>park</i> , or <i>trail</i> , and accepted by the <i>department</i> .	0.5 bonus unit per acre of <i>park</i> area or quarter-mile of <i>trail</i> exceeding the minimum requirement of Chapter 18.30 KMC for on-site recreation space or <i>trail</i> corridors, computed on the number of <i>dwelling units</i> permitted by the <i>site</i> 's base density.
b. Improvement of dedicated <i>park</i> site to <i>City</i> standards for developed <i>parks</i> .	0.75 bonus unit per acre of <i>park</i> improvement. If the <i>applicant</i> is dedicating the site of the improvements, the bonus units earned by improvements shall be added to the bonus units earned by the dedication.

BENEFIT	DENSITY INCENTIVE
c. Improvement of dedicated <i>trail</i> segment to <i>City</i> standards.	<p>1.8 bonus units per quarter-mile of <i>trail</i> constructed to <i>City</i> standard for pedestrian <i>trails</i>; or</p> <p>2.5 bonus units per quarter-mile of <i>trail</i> constructed to <i>City</i> standard for multipurpose <i>trails</i> (pedestrian/bicycle/equestrian).</p> <p>Shorter segments shall be awarded bonus units on a pro rata basis. If the <i>applicant</i> is dedicating the site of the improvements, the bonus units earned by improvements shall be added to the bonus units earned by the dedication.</p>
d. Dedication of <i>open space</i> , meeting <i>City</i> acquisition standards to the <i>City</i> or a qualified public or <i>private</i> organization such as a nature conservancy.	0.5 bonus unit per acre of <i>open space</i> .

[Ord. 19-0481 § 2 (Exh. A); Ord. 11-0329 § 3 (Exh. 1).]

18.80.050 Rules for calculating total permitted dwelling units.

A. The formula for calculating the total number of *dwelling units* permitted through RDI review is as follows:

DUs	+	Bonus	+	DUs	=	TOTAL
allowed		DUs		allowed		RDI
by RDI				by		DUs
<i>site base</i>				<i>sending</i>		
Density				<i>site</i>		
				<i>density (if</i>		
				<i>any)</i>		

B. The total *dwelling units* permitted through RDI review shall be calculated using the following steps:

1. Calculate the number of dwellings permitted by the base density of the *site* in accordance with Chapter [18.30](#) KMC;
 2. Calculate the total number of bonus *dwelling units* earned by providing the public benefits listed in KMC [18.80.040](#);
 3. Add the number of bonus *dwelling units* earned to the number of *dwelling units* permitted by the base density;
 4. Add the number of *dwelling units* permitted by the base density of the *site* sending *TDCs*, if any;
 5. Round fractional *dwelling units* to the nearest whole number; 0.49 or less *dwelling units* are rounded down; and
 6. On *sites* with more than one zone or zone density, the maximum density shall be calculated for the *site area* of each zone. Bonus units may be reallocated within the zones in the same manner set forth for base units. [Ord. 19-0481 § 2 (Exh. A); Ord. 11-0329 § 3 (Exh. 1).]

18.80.060 Review process.

A. All RDI proposals shall be reviewed concurrently with a primary proposal to consider the proposed site plan and methods used to earn extra density.

1. When the primary proposal requires a public hearing under this code or KMC Title [17](#), the public hearing on the primary proposal shall serve as the hearing on the RDI proposal, and the reviewing authority shall make a consolidated decision on the proposed *development* and use of RDI;

2. When the primary proposal does not require a public hearing under this code or KMC Title [17](#), the RDI proposal shall be processed as a Type 2 land use decision subject to the decision criteria for *conditional use permits* outlined in Chapter [18.115](#) KMC; and
3. The notice for the RDI proposal also shall include the *development's* proposed density and a general description of the public benefits offered to earn extra density.

B. RDI applications which propose to earn bonus units by dedicating real property or public facilities shall include a letter from the receiving agency certifying that the proposed dedication qualifies for the density incentive and will be accepted by the agency or other qualifying organization. [Ord. 19-0481 § 2 (Exh. A); Ord. 11-0329 § 3 (Exh. 1).]

18.80.070 Minor adjustments in final site plans.

When issuing building permits in an approved RDI *development*, the *department* may allow minor adjustments in the approved site plan involving the location or dimensions of *buildings* or *landscaping*, provided such adjustments shall not:

- A. Increase the number of *dwelling units*;
- B. Decrease the amount of perimeter *landscaping* (if any);
- C. Decrease residential parking facilities (unless the number of *dwelling units* is decreased);
- D. Locate *structures* closer to any *site* boundary line; or
- E. Change the locations of any points of ingress and egress to the *site*. [Ord. 19-0481 § 2 (Exh. A); Ord. 11-0329 § 3 (Exh. 1).]

18.80.080 Applicability of development standards.

A. RDI *developments* shall comply with dimensional standards of the zone with a base density most closely comparable to the total approved density of the RDI *development*; provided, that an RDI proposal in the R-4 through R-6 zones shall conform to the height requirements of the underlying zone in which it is located.

B. RDI *developments* in the R-4 through R-6 zones shall be landscaped as follows:

1. When 75 percent or more of the units in the RDI *development* consist of *townhouses* or *apartments*, the *development* shall provide perimeter *landscaping* and *tree* retention in accordance with Chapters [18.35](#) and [18.57](#) KMC for *townhouse* or *apartment* projects.
2. When less than 75 percent of the units in the RDI consist of *townhouses* or *apartments*, the *development* shall provide *landscaping* and *tree* retention in accordance with Chapters [18.35](#) and [18.57](#) KMC for *townhouses* or *apartments* on the portion(s) of the *development* containing such units; provided, that if *buildings* containing such units are more than 100 feet from the *development's* perimeter, the required *landscaping* may be reduced by 50 percent.
3. All other portions of the RDI shall provide *landscaping* or retain *trees* in accordance with Chapters [18.35](#) and [18.57](#) KMC.

C. RDI *developments* in all other zones shall be landscaped or retain *trees* in accordance with Chapters [18.35](#) and [18.57](#) KMC.

D. RDI *developments* shall provide parking as follows:

1. Projects with 100 percent affordable housing shall provide one off-street *parking space* per unit. The *city manager* may require additional parking, up to the maximum standards for attached *dwelling units*, which may be provided in common parking areas.
2. All other RDI proposals shall provide parking for:
 - a. Market rate/bonus units at levels consistent with Chapter [18.40](#) KMC; and
 - b. Benefit units at:
 - (1) One or two bedrooms: one *parking space* per unit;

- (2) Three bedrooms: one and one-half *parking spaces* per unit;
- (3) Parking may be further reduced if a parking demand analysis is provided per KMC [18.40.030\(B\)](#).

E. RDI *developments* shall provide on-site recreation space as follows:

- 1. Projects with 100 percent affordable housing shall provide recreation space at 50 percent of the levels required in Chapter [18.30](#) KMC.
- 2. All other RDI proposals shall provide recreation space for:
 - a. Market rate/bonus units at levels consistent with Chapter [18.30](#) KMC; and
 - b. Benefit units at 50 percent of the levels required for market rate/bonus units. [Ord. 19-0481 § 2 (Exh. A); Ord. 11-0329 § 3 (Exh. 1).]

18.80.090 Transfer of density credits.

In order to realize the development potential of *sites* containing *critical areas* or of unique size or shape, or *sites* preserved in order to attain comprehensive plan goals, an opportunity to transfer unused density from one *site* to another shall be provided. *Transfer of density credit* transactions shall be handled between the private parties, with documentation provided to the *City*, until such time as the *City* enters into a formalized transfer of development rights (TDR) process through King County or another agency.

A. Transfer of Density from *Sites* Constrained by *Critical Areas* or of Unique Size and Shape. A *development* proponent may apply to transfer unused density from a *site* constrained by *critical areas* or of unique size or shape to another *site* through a Type 2 land use decision.

- 1. The number of density credits that a *sending site* is eligible to send to a *receiving site* shall be determined by applying the base density of the zone the *sending site* is located in to the total *sending site area*, less any portion of the *sending site* already in a conservation easement or other encumbrance, or any land area already used to calculate residential density for other *development* on the *sending site*. A plot plan showing *critical areas* and *buffers*, conservation easements or other encumbrances shall be submitted as part of the development application to demonstrate compliance with the density calculation rules set forth in Chapter [18.30](#) KMC.
- 2. *Sending sites* with *critical areas* that have been declared unbuildable under Chapter [18.30](#) KMC shall be considered to have a base density calculated in accordance with that chapter, except that the areas of the *sending* and *receiving sites* shall be combined to calculate the overall *site* percentage of *critical areas* and *buffers* necessary for determining the allowable density credit as set forth in Chapter [18.55](#) KMC.
- 3. When the *sending site* consists only of a portion(s) of an unsubdivided parcel, said portion(s) shall be segregated from the remainder of the lot pursuant to KMC Title [17](#) or deed restrictions documenting the density credit transfers shall be recorded with the title to both the *sending* and *receiving sites*. A parcel need not segregate a *sending site* from the remainder of the parcel when the entire parcel is subject to a conservation easement pursuant to subsection (A)(4) of this section.
- 4. Conservation easements shall be required for land contained in the *sending site*, whether or not such land is dedicated, as follows: a conservation easement shall be recorded on the *sending site* to indicate development limitations on the *sending site*.

B. Transfer of Density from *Sites* in Order to Attain Comprehensive Plan Goals. A *development* proponent may apply to transfer unused density from a *sending site* to a *receiving site* to achieve comprehensive plan goals as specified by the *city council*. The *city council* shall identify by ordinance circumstances in which this code section may be applied.

- 1. As of April 23, 2019, the city council has determined that unused density may be transferred from a property zoned MHC to a *receiving site* if long-term preservation of the *manufactured housing community* is assured. Unused density shall be defined as the number of *dwelling units* allowable under existing zoning as of April 22, 2019, less the number of existing *dwelling units* on the property as of April 23, 2019, multiplied by two and one-half.
- 2. Density shall not be transferred to projects in the R-1, R-4 or R-6 zoning districts.

C. Density credits from one *sending site* may be allocated to more than one *receiving site*.

D. The transfer of density request shall be processed as part of the underlying permit for the project on the *receiving site*.

- E. Upon submitting an application to develop a *receiving site* under the provisions of this section, the *applicant* shall provide evidence of ownership or full legal control of the density credits proposed to be used in calculating total density on the *receiving site*.
- F. Density credits from a *sending site* shall be considered transferred to a *receiving site* when the *sending site* is permanently protected by a land dedication, conservation easement or preservation agreement submitted to and approved by the *city manager*. This document shall be recorded with King County prior to approval of the *receiving site* permit.
- G. *TDC developments* shall comply with dimensional standards of the zone with a base density most closely comparable to the total approved density of the *TDC development*. [Ord. 19-0481 § 2 (Exh. A); Ord. 11-0329 § 3 (Exh. 1).]
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The Kenmore Municipal Code is current through Ordinance 19-494, passed July 15, 2019.

Disclaimer: The City Clerk's Office has the official version of the Kenmore Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

City Website: <http://www.kenmorewa.gov/>

City Telephone: (425) 398-8900

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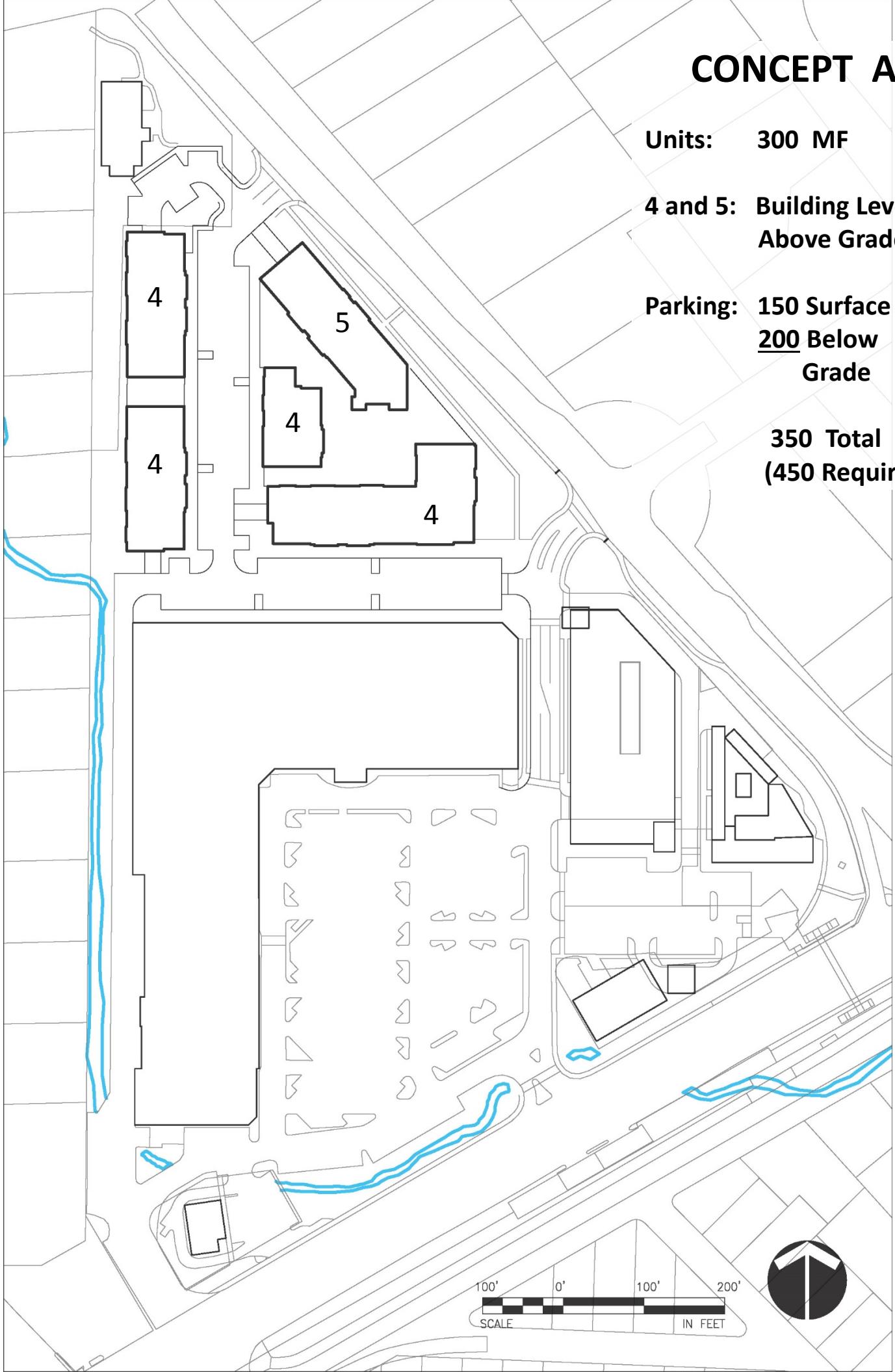
CONCEPT A

Units: 300 MF

4 and 5: Building Levels
Above Grade

Parking: 150 Surface
200 Below
Grade

350 Total
(450 Required)



CONCEPT B

Units: **176 MF**
25 Townhomes
201 Total

**3 and 5: Building Levels
Above Grade**

Parking: 25 TH Garages
150 Surface
**100 Tuck-Under at
Grade in MF
Buildings**

**275 Total
(302 Required)**

