



PLANNING COMMISSION AGENDA

Date: August 1, 2012

Planning Commission Meeting:

First Wednesday of every Month @ 7:00pm

Community Center
1808 Main Street
Lake Stevens, WA 98258

www.lake-stevens.wa.us/planning.htm

Planning & Community Development Department

1812 Main Street
Lake Stevens, WA 98258
(425) 377-3235

www.lake-stevens.wa.us

Municipal Code

Available online:

www.codepublishing.com/WA/LakeStevens/

A. CALL TO ORDER: 7:00pm

B. ROLL CALL

C. GUEST BUSINESS

D. ACTION ITEMS

1. Approve Minutes from July 18, 2012

E. PUBLIC HEARING

PUBLIC HEARING FORMAT, Public Hearing Continuing August 15, 2012

1. Open Public Hearing
 2. Staff presentation
 3. Commission's questions for staff
 4. Proponent's comments
 5. Comments from the audience
 6. Proponent rebuttal comments
 7. Close public comments portion of hearing
 8. **Re-open public comment portion of hearing for additional comments (optional)**
 9. Close Hearing
 10. COMMISSION ACTION – Recommendation to Council
 - A. Approve
 - B. Deny
 - C. **Continue**
-
1. Subarea Plans, Planned Actions and Associated Documents (Karen Watkins, Principal Planner)
Over the past year and a half, the City has met with residents, business owners, potential business owners and others to design a vision and plan for the Lake Stevens Center and the 20th Street SE Corridor. The final packet for review and recommendation to City Council includes:
 - Documents Related to Comprehensive Plan Amendments
 - ⇒ Lake Stevens Center Subarea Plan
 - ⇒ 20th Street SE Corridor Subarea Plan
 - ⇒ Comprehensive Plan Amendments
 - ⇒ Capital Facilities Plan Table of Contents
 - ⇒ Amended Land Use Map
 - Documents Related to Code Amendments
 - ⇒ Subarea Design Guidelines
 - ⇒ Official Zoning Map
 - ⇒ New Chapter 14.38 Subarea Plans (Subarea Development Regulations)
 - ⇒ New Chapter 14.112 Traffic Mitigation Outline
 - ⇒ Land Use Code Amendments
 - Lake Stevens Center Planned Action
 - 20th Street SE Corridor Planned Action

For more information, see Staff Report.

SPECIAL NEEDS

The City of Lake Stevens strives to provide accessible opportunities for individuals with disabilities. Please contact Steve Edin, City of Lake Stevens ADA Coordinator, at (425) 377-3227 at least five business days prior to any City meeting or event if any accommodations are needed. For TDD users, please use the state's toll-free relay service, at (800) 833-6388, and ask the operator to dial the City of Lake Stevens City Hall number.

PLANNING COMMISSION AGENDA

Meeting Date: August 1, 2012

- F. DISCUSSION ITEMS**
- G. COMMISSIONER REPORTS**
- H. PLANNING DIRECTOR'S REPORT**
- I. ADJOURN**

DRAFT

PLANNING COMMISSION PUBLIC HEARING MINUTES

Community Center
1808 Main Street, Lake Stevens
Wednesday, August 1, 2012

CALL TO ORDER: 7:03 pm by Vice-Chair Thurber

MEMBERS PRESENT: Sammie Thurber, Jennifer Davis, Janice Huxford, Dean Franz, Gary Petershagen and Pam Barnet

MEMBERS ABSENT: Chair Linda Hault

STAFF PRESENT: Planning Director Becky Ableman, Principal Planner Karen Watkins, Senior Planner Russell Wright and Planning/Public Works Coordinator Georgine Rosson

OTHERS PRESENT: Vice-Chair Thurber welcomed the following members of the public:

Dick & Gloria Yost	Curtis Zeisler
Barbara Mounsey	Faye Koty
Albeo Maillet	Phil & Kathy Kane
Bill Barnet	Darron Pyper
Craig Davis	Joyce Bell
Robert Bauman	Deloa Parrish
Jack & Maggie Spanitz	Bobbi Cross
David Milot	

Excused absence: Commissioner Franz made a motion to excuse Chair Hault, Commissioner Barnet second, motion passed 6-0-0-1.

Approval of Minutes from July 18, 2012: Commissioner Barnet made a motion to approve minutes, Commission Huxford second, motion passed 6-0-0-1.

Guest Business: None

Public Hearing: Vice-Chair Thurber presented public hearing procedures to the audience.

Staff Presentation:

Planning Director Ableman began the presentation with reading comment letters received from the public. Principal Planner Watkins read an email received from Val MacDonald, and a letter from Ridgeline Management Company. Futurewise may provide comments, however they were not able to at this hearing. The presentation continued with an outline of the two subarea plans, past meetings that have taken place were highlighted, along with open houses and council presentations. Director Ableman stated the FEIS is complete allowing a developer to submit a proposal with SEPA thresholds already determined. As long as the developer stays within the thresholds, no further environmental review will be required, allowing the developer to know in advance

DRAFT

what mitigation, if any, will need to be done before submitting a proposal.

Principal Planner Watkins went on to share the goals of the subarea plans. While they are two different plans, they do have similar goals. The emphasis for the 20th street SE corridor is creation of new employment opportunities, while the emphasis for Lake Stevens Center is revitalizing existing commercial centers. Both plans emphasize creating livable, walkable areas, transportation corridors and parks. The walkable areas will include a new trail under the existing power lines, and a new trail along the proposed new 24th Street SE. This new trail will possibly link up to the existing Centennial Trail and the existing wetlands will be incorporated into the design making it an integral part of the plan. Planner Watkins shared what is required for comprehensive plan updates, planned action updates, transportation updates, sewer capital improvement project updates and the impact to economic development. She also shared the planned actions framework and proposed new zoning maps.

Senior Planner Wright discussed the capital facility element, and the infrastructure needed to construct the plan. The major costs will be related to the transportation plan, and construction of the new 24th Street SE. Staff is also reviewing the capital facility plans for the sewer and school districts and how they tie in to the City's plan. Planner Wright discussed new zoning maps and some of the new zoning districts. The new zoning code is more general in nature, the City did not try to capture every possible use, primary uses and secondary uses are identified. Development standards are prescriptive, while design guidelines are more flexible to increase the ascetic appeal of businesses. The mixed use district was discussed, with some examples of what this district could look like, along with the high urban residential district. This new district is more flexible than multi-family zoning, as it allows condos, small lot houses, and apartments. The dimensional standards table was discussed, along with parking ratios, landscape requirements for parking areas, and lighting and street standards. The sign code for the subareas was discussed, the specific zone would dictate the size of sign. Council wanted to allow for offsite signage in the commercial and business district and main street district. These offsite signs would be for highway dependent businesses that are not visible from the highway, like Target.

Planner Watkins talked about traffic mitigation. Staff is in the process of determining traffic impact fees, how these fees will be allocated and a time frame for allocation. Planner Wright introduced the design guidelines, which identify goals to increase public and semi-public open spaces, encourage covered plazas, orient buildings to public streets, provide signage guidelines, and require varying/interesting architecture for storefronts. The design guidelines also include lighting and sidewalk/crosswalk requirements to ensure businesses can be accessed on foot or driving, and drive-through lanes for businesses are defined.

Vice-Chair Thurber opened up for Commissioner questions; there were no questions.

Vice-Chair Thurber opened public testimony.

Public Testimony:

Barbara Mounsey, 8211 20th St. SE, Lake Stevens. Ms. Mounsey was concerned about a concrete divider down 20th Street SE and her ability to make a left turn.

Jack Spanitz, 406 100th Ave NE, Lake Stevens. Mr. Spanitz asked about the time frame

DRAFT

for the subarea plans. Planning Director Ableman stated the plans are for ten to fifteen years after adoption by city council, which is expected in September.

Deloa Parrish, 11555 SE 8th St., Bellevue. Ms. Parrish complemented staff and the Planning Commissioners for all their hard work. Ms. Parrish referred to a letter she sent to Director Ableman requesting rezones of specific properties along 20th Street SE, also requesting some changes to specific zoning code sections and infrastructure improvements. This letter focused on the 20th Street SE subarea. Commissioner Petershagen wanted more information regarding the letter, planning staff copied the letter and distributed to the commissioners. Director Ableman went through the letter, identifying where staff made changes to proposed codes based on the letters' recommendations.

Commissioner Thurber noted there were no further comments from the public, Commissioner Huxford motioned to close public comment portion of hearing, Commissioner Franz second, motion passed, 6-0-0-1.

Commission Action:

Commissioner Franz asked about traffic fees, Director Ableman addressed his questions. She explained how traffic fees were calculated in the past, fees were calculated for individual projects, and developers would pay their share of fees if the development affected certain traffic areas. GMA established a new method where fees are based on the entire traffic system needing improvement; the fees are allocated based on number of trips generated for a specific business. The individual traffic studies would focus on number of trips generated and would be less intense and less costly for the developer. The traffic impact fees would pay for system-wide improvements, and developers may be able to pay fees as they build depending on the location. With this system, the developer may not have to wait for specific improvements to be completed before they could build.

Vice-Chair Thurber asked if any development would occur before traffic improvements are made, Director Ableman responded that staff is reviewing the design to determine an economical way for making the improvements, if development occurs before the improvements are made, the developer would have to make road frontage improvements.

Commissioner Huxford expressed concern over traffic impacts to existing shopping and residential hubs around the lake. Her concern is increased traffic traveling through these areas to shopping in the new subareas. Speed limits were discussed and Director Ableman responded that an effort has been made to keep the neighborhood feel of these areas and ensure these areas remain livable and walkable.

Vice-Chair Thurber asked the preference of the commissioners, to make a motion on each element of the subarea plans, or to motion on the entire plan. Commissioner Franz motioned to recommend approval to the council of the entire subarea plans, Planned Actions, and Associated Documents, Commissioner Barnet seconded. The motion did not pass, the second was withdrawn, and Commissioner Franz withdrew his motion.

Commissioner Petershagen requested more time to review the documents and wanted to continue the Hearing to August 15th. The other Commissioners were open to this

DRAFT

suggestion, and Commissioner Huxford motioned to continue the hearing to August 15th. Director Ableman asked if the public comment portion should be re-opened, Commissioner Huxford amended her motion to re-open the public comment portion of the public hearing, second by Commissioner Franz, passed 6-0-0-1.

Commissioner Reports:

Commissioner Barnet asked about political signs on city property. Director Ableman stated they are allowed, but the size is limited and the signs would be removed if blocking site distance. Political signs are not allowed on park property.

Commissioner Petershagen asked about Milfoil monitoring, Director Ableman stated she would have the information available by the next meeting.

Planning Director's Report.

Planning Director Ableman asked if the commissioners had any additional subarea information to put on the agenda for the August 15th meeting. Other than possible additional public comments, the commissioners did not request any additional information. Director Ableman discussed a successful Aquafest, Ironman and the status of the Shoreline Master Program. Principal Planner Watkins stated the 2012 Comprehensive Plan Docket will be set at the September planning commission meeting.

Adjourn. Commissioner Barnet moved to adjourn at 8:35 p.m., second by Commissioner Petershagen; motion carried unanimously. (6-0-0-1)

Sammie Thurber, Vice-Chairman

Georgine Rosson, Planning/Public
Works Coordinator



Staff Report
City of Lake Stevens Planning Commission

Planning Commission Briefing
Date: **August 15, 2012**

Subject: **Subarea Plans, Planned Actions and Associated Documents – Continued Public Hearing**
Contact Person/Department: **Karen Watkins, Principal Planner**

SUMMARY:

The attached emails and letters have been received since the August 1, 2012 Planning Commission Public Hearing. In addition, the emails and letters read into the record on August 1 are also included as part of the public record. Also, the draft Traffic Impact Mitigation Fees chapter, which was handed out at the August 1 hearing is also attached for public review.

ACTION REQUESTED OF PLANNING COMMISSION:

These emails and letters should be considered in the recommendation to the City Council.

ATTACHMENTS:

- July 5, 2012 letter from David Milot and Deloa Parrish
- July 25, 2012 email from Val MacDonald
- August 1, 2012 letter from Ridgeline Management Company
- August 2, 2012 email from Patrick Forster
- August 3, 2012 email from Barbara Mounsey
- August 4, 2012 email from Barbara Mounsey
- August 8, 2012 email from Michael Turner
- August 9, 2012 letter from David Milot and Deloa Parrish
- Chapter 14.112 Traffic Impact Mitigation Fees



July 5, 2012

Ms. Rebecca Ableman, Planning and Community Development Director
City of Lake Stevens
P.O. Box 257
Lake Stevens, WA 98258

Reference: Comments on Subarea Zoning Regulations and Design Guidelines for the
20th Street SE Corridor.

Dear Rebecca,

After attending the Open House on June 20, 2012 and the City Council Meeting on June 25 where the above information was introduced, we wish to submit the following comments for the City's consideration.

We support the City's planned actions and respectfully **request that zoning of Commercial District (CD) be applied to the properties at 7314, 7324 and 7330-20th Street SE.** As outlined in the Draft Subarea Zoning Regulations, these properties comply with the guidelines including *transportation accessibility, exposure to highways and arterials with adequate public services and traffic capacity characterized in this district (14.38.020 (b)).* This zoning classification also allows mixed use multi-family residential units located above commercial uses. The current economic climate forces us to request this zoning designation, as financing is only existent for larger retailers who have the ability to self finance. We plan to develop these properties within the next five years and will be attracting a national self-financing retailer to move this development forward.

This action meets the following City objectives as outlined in the Draft EIS:

1. Promoting economic development with a more positive balance of jobs and housing.
2. Achieve a mixture of jobs, goods and services, housing and recreation and open space.
3. Enhance the visual appearance of streets, sidewalks, sites and buildings.
4. Establish 20th St SE as an appealing new gateway into the city, integrating new development with existing neighborhoods.
5. Attract a variety of employers from smaller size to larger size business to create a regional employment center.

Should Staff and Council wish to retain the proposed Mixed Use Neighborhood designation, we respectfully request a change in the zoning code language as follows:

14.38.020 (d) (3) (i) Delete this paragraph: Sites with retail and service uses located in detached buildings are limited to a maximum floor area of 5,000 square feet.

14.38-11 Floor Area Ratios. Modify Basic Allowable FAR in MUN Non-Residential and Residential from 0.2 and 0.4 respectively to 0.5.

The square footage above would limit even smaller users such as banks or drug stores which are in the 15,000 square foot range.

Additional Zoning Code Change Recommendations:

14.38.060 Parking Standards. Retail Trade: Maximum 6 stalls per 1000 gfa

14.38.100 (e) (7) (i) The City will allow pole or pylong sign when it is necessary to identify a use that is oriented toward and primarily intended to serve highway motorists on commercially zoned properties within sight distance of state highways. Delete: and the main building is more than 100 feet from the right of way.

Design Guideline Change Recommendations:

II. A. 5. Drive through Uses. Delete paragraph b limiting drive through lanes to one. This language will preclude bank uses, and limits future development potential.

II. C. 2. Pedestrian spaces should be a minimum of 1 square foot of plaza per 1000 square feet of building area.

III. D. 2. Building Materials needs a provision for concrete tilt up construction.

We do not support the parking lot "cells" concept as discussed in Council Meeting of 6/25/12. This may be appropriate for residential developments, however a national retailer will have very specific parking requirements. The parking cell concept could hamper economic development for the City.

Please include the following infrastructure improvements as recommended actions into the EIS and the Subarea Plan:

- **Continue the widening of 20th westward towards the Trestle.** We support the final phase of the 20th Street widening, and respectfully request the City re-engineer the Snohomish County roadway plans. A 5-lane roadway with center-turn lane capabilities to continue westerly past Cavalero Road for an additional 600-feet creates safety along a high traffic and constrained roadway. The 4-lane roadway, as currently configured in the Snohomish County plans, will not accommodate the City's growth assumption, a refuge lane will remedy the safety concerns. Adequately sized transportation infrastructure must be in place for the City to attract quality development in the subarea.

- **Provide sewer infrastructure through the Subarea in conjunction with the widening of 20th Street.** The southwesterly portion of 20th Street is a sewer no-man's land. There is sewer service on the northern side of 20th serving the East Everett Developments but no sewer for parcels southwest of 79th/20th SE. This area encompasses prime developable land with views of Ebey Slough and Everett. In order for development to occur in this area, sewer service must be provided to this portion of the subarea. We have commissioned a sewer feasibility study performed by the Lake Stevens Sewer District and it was found that our properties have the capability to gravity flow to the manhole in the southwestern portion of 19th Street SE. A short easement would be required through a property on the north side of 20th. We have met with the property owner and he is amenable to granting the easement as long as a stub is provided to his property.

We continue to support the goals outlined in Development Alternative 2, specifically:

- Employment growth at mixed-use nodes and in new office park areas
- Upgraded utilities (sewer, water, drainage)
- A program of road, circulation and transit improvements; and
- Developing and/or amending zoning regulations and design guidelines to address growth.

Thank you for the opportunity to submit our comments. We look forward in actively participating with the City in creating a vibrant subarea for 20th Street SE. Please don't hesitate to contact us at deloa@greenhillcommunities.com and damilot@hotmail.com with further questions.

Sincerely,



David Milot, Owner
7330, 7314 and 7324-20th Street SE



Deloa Parrish, Project Manager
Greenhill Communities, LLC

Karen E. Watkins

From: Val MacDonald [valerie-mac@live.com]
Sent: Wednesday, July 25, 2012 10:32 AM
To: Karen E. Watkins
Subject: 20th St SE Corridor

Hi,

My name is Val Macdonald 10711 18th ST SE aka Pellerine road . I'm not sure that I am in the city of Lake Stevens. I believe I'm served by the county Sheriffs and Lake Stevens only annexed the Fire administration building on the corner.

What ever its worth here are some of my thoughts.

Pro:

Parks

Bus service

Business

Street widening and sidewalks

Cons

Apartment complexes (townhomes OK)

Mandated sewer hook-ups for existing homes.

Round-about traffic circle- (I have a boat & an RV and fueling up at Safeway was nice. The traffic circle is an issue. Maneuvering 40-53 feet of vehicle is a bit challenging.

If its going to cost me or cause me problems I'm against it. Here is a thought too... 10 years ago I was able to go from my home to Snohomish or Everett in 7 minutes. Today Snohomish is now 15 + and Everett 15 + to as much as 30-45 minutes just to I-5. My drive times have more than doubled. Improvement?

Thank you for your time,

Valerie MacDonald



Sent via e-mail (bableman@lakestevenswa.gov)

August 1, 2012

Rebecca Ableman
Planning & Community Development Director
City of Lake Stevens
1812 Main Street
Lake Stevens, WA 98258

Re: 20th Street SE Corridor Subarea Plan

Dear Becky:

Thank you for allowing us to comment on the proposed 20th Street SE Corridor Subarea Plan. Since we won't be able to attend tonight's public hearing, we're hopeful that our comments can be submitted into the record.

Our firm – through a related entity named Lake Stevens Assisted Living, LLC – owns a 13 acre property in the area southwest of the 20th Street SE and Route 9 intersection. We acquired the property in late 2005 for development, but have yet to develop the property, primarily due to the lack of public infrastructure such as sewer service and traffic limitations.

Since the City of Lake Stevens' annexation in late 2009, we've been impressed with the City of Lake Stevens' planning efforts for the 20th Street SE area. It is refreshing to own property in a jurisdiction which is taking positive pro-active measures to promote future economic development.

The 20th Street SE Corridor Subarea Plan, if approved, will provide the critical framework for economic development to occur in the plan area. The mere fact of having the plan in place will serve to promote transactional activity and increase property values in the area. As companies look at sites to locate their businesses, the plan will provide Lake Stevens with a distinct competitive advantage over sites in other jurisdictions which do not have comparable supportive planning documents.

We encourage the Planning Commission to recommend approval of the 20th Street SE Corridor Subarea Plan as an important first step in the plan's adoption, as the plan will serve to benefit the future interests of Lake Stevens.

Regards,

Will Forsyth
General Counsel

Karen E. Watkins

From: Becky Ableman
Sent: Friday, August 03, 2012 8:37 AM
To: Russell Wright; Karen E. Watkins
Subject: FW: Sub area

Please include these comments into the next packet.

Thank you,
Becky

*Rebecca Ableman
Planning and Community Development Director
1812 Main St.
PO Box 257
Lake Stevens, WA 98258
Phone (425) 377-3229
Fax (425) 212-3327*

From: pat [<mailto:patforster@comcast.net>]
Sent: Thursday, August 02, 2012 9:08 PM
To: Becky Ableman
Subject: Sub area

Please attach my email comments to the study.

When we were annexed into Lake Stevens the city said how great it will be. Lower taxes, more police etc. We were proud to be a member of Lake Stevens. Now we see that the city has given the tools to developers to take away our homes we live in!! I am speaking of the homes south of 20th st, from Hwy 9 to Cavalaro rd. We love this area and are offended and shocked that the City of Lake Stevens is considering rezoning our area to commercial and retail!! How dare you! We would have to move and find new homes!! We like it here the way it is!! We moved here to retire and re built our home completely...now you are telling us we will lose our homes to developers, if YOU rezone our area. My faith in Lake Stevens leadership is very depressing right now. We might all lose our homes, some 54 homes along 20th st!! We protest this 'planning'.

Please attach my email comments to the study.

Patrick Forster
2027n 93rd DR SE
Lake Stevens, Wa. 98258

Karen E. Watkins

From: Becky Ableman
Sent: Tuesday, August 07, 2012 3:48 PM
To: Karen E. Watkins; Russell Wright
Subject: FW: 20th St., Southeast Lake Stevens

For the record.

Rebecca Ableman
Planning and Community Development Director
1812 Main St.
PO Box 257
Lake Stevens, WA 98258
Phone (425) 377-3229
Fax (425) 212-3327

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

From: Barbara Mounsey [<mailto:barb3500@me.com>]
Sent: Friday, August 03, 2012 2:55 PM
To: Becky Ableman
Subject: 20th St., Southeast Lake Stevens

One more comment regarding the middle isle of 20th St., South East Lake Stevens and that is when Snohomish County was doing their plans they were considering putting an island and with trees and shrubs This again would him prevent people from turning left or right into businesses because they would have to go to the nearest stoplight to make a U-turn to go into that business which would be very discouraging and make me not want to even go to the business to have to go to that trouble Having just a turn lane for the convenience of the businesses I would be maybe take up less space than an island or a cements wall that as was suggested by Snohomish County It may require also lake Stevens having to purchase less land from the residence they haven't already been purchased there's a savings there for you I don't know what your plans are but we are sure that you're going to do what's going to be the best for Lake Stevens

Thank you very much
Barbara Mounsey
425-422-9927
BARB9927@Hotmail.com

Karen E. Watkins

From: Becky Ableman
Sent: Tuesday, August 07, 2012 3:49 PM
To: Karen E. Watkins; Russell Wright
Subject: FW: Driveway

To add to the record.

Rebecca Ableman
Planning and Community Development Director
1812 Main St.
PO Box 257
Lake Stevens, WA 98258
Phone (425) 377-3229
Fax (425) 212-3327

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

From: barbara mounsey [<mailto:barb9927@hotmail.com>]
Sent: Saturday, August 04, 2012 1:52 PM
To: Becky Ableman
Subject: Driveway

Hi
This is Barbara Mounsey 8211 20th St. S., East Lake Stevens
425-422-9927

We currently have a circular driveway so we have to driveway entrances and we are in hopes that you can reduce the width of the road enough so that we can still keep our all to driveways a circular driveway Snohomish County was going to reduce our driveway to just one driveway and put a driveway down the side of house and the back and we really prefer to keep it like it is have our circular driveway if we can keep enough land on an even if we can't keep enough land we would still like to keep both our driveways This is already a difficult road to get out on with just the two lanes we have five lanes would increase it the difficulty in getting out onto the road

Sent from Barbara Mounsey
Loves the ocean

Karen E. Watkins

From: Becky Ableman
Sent: Thursday, August 09, 2012 10:00 AM
To: 'Michael Turner'
Cc: Karen E. Watkins; Russell Wright
Subject: RE: Subarea Plan Comments

Thanks for your comments Michael. Your email will follow the entire process to the end but you may comment at any time and as many times as you want during the process for the record.

*Rebecca Ableman
Planning and Community Development Director
1812 Main St.
PO Box 257
Lake Stevens, WA 98258
Phone (425) 377-3229
Fax (425) 212-3327*

From: Michael Turner [<mailto:michtu@gmail.com>]
Sent: Wednesday, August 08, 2012 11:06 PM
To: Becky Ableman
Subject: Subarea Plan Comments

Hi Becky,

I had one question and then some general comments regarding the subarea plans. First the question. Do comments made on earlier version go with the final draft or are they discarded (for lack of a better term) once they are incorporated into the newer version?

As for the comments, overall, I find that I don't disagree with any of the goals or the layouts of the plans. I understand the desire, and probably a need, to create a road-map for potential growth in the city. The 204/9 intersection is a stark reminder. My general concern though as I sit through both planning commission and council meetings is that the trend is always toward more regulation. Especially with more areas for discretion in enforcement. An example is with the creation of a design board. While I have only been following these things for about a year and a half, it seems counter intuitive that more regulation will make it faster and easier for developers to build, and by extension businesses to locate to Lake Stevens.

That said, my understanding of these plans is that by having them, the developer won't need to do many of the "normal" studies required to put in the buildings, such as SEPA and traffic studies, because the sub area plan already contains mitigation elements that deal with those. If that is the case then I think overall in the current federal and state regulations, it will work and not be a burden. So I'm torn, the plans are logical and the vision in all honesty pretty cool, but it also seems like adding to the city code won't make it easier to build. I don't know if the data exists anywhere, but I'm curious if the current lack of employment development was because there wasn't a specific spot for it or if there was something else preventing employment type development.

When it gets down to it though, if this makes it easier for development then I really don't have any issues with this going in. Thanks for you and your team's hard work on this. One thing I've gotten a sense of over the last year or so is how much effort is required to envision, propose, and finally to see these through to completion.

Thanks,
Michael Turner
8516 5TH PL SE
Lake Stevens, WA 98258

Chapter 14.112
TRAFFIC IMPACT MITIGATION FEES

Sections:

- 14.112.010 Purpose
- 14.112.020 Authority
- 14.112.030 Applicability
- 14.112.040 Exemptions
- 14.112.050 Service Areas
- 14.112.060 Mitigation of Traffic Impacts Required
- 14.112.070 Relationship to the State Environmental Policy Act (SEPA)
- 14.112.080 Calculation of Impact Fee
- 14.112.090 Offsets
- 14.112.100 Collection of Impact Fees
- 14.112.110 Uses of Impact Fee Revenues
- 14.112.120 Expenditure Requirements for Impact Fees
- 14.112.130 Refund of Fees Paid

14.112.010 Purpose

The purpose of this chapter is to implement the capital facilities element of the Lake Stevens comprehensive plan and the Growth Management Act by:

- (a) Ensuring adequate public street system facilities are available to serve traffic from new development.
- (b) Maintaining the high quality of life in Lake Stevens by ensuring adequate public streets are available to serve growth and maintain existing service levels for present businesses and residents.
- (c) Establishing standards and procedures whereby new development pays its proportionate share of the costs of street system capacity improvements, thereby reducing transaction costs for both the City and developers and ensuring new developments are not required to pay arbitrary or duplicative fees.

14.112.020 Authority.

This chapter is adopted under RCW 82.02.050 through .100, which authorizes cities planning under the Growth Management Act, Chapter 36.70A RCW, to assess, collect, and use impact fees to assist in financing public facilities needed to accommodate growth. The City of Lake Stevens is required to plan under the Growth Management Act and has adopted a comprehensive plan, which includes a capital facilities element which complies with RCW 36.70A.070(3) and RCW 82.02.050(4), and all other applicable requirements. Consequently, the City of Lake Stevens is authorized to impose, collect, and use impact fees.

14.112.030 Applicability.

This chapter applies to all new development, except as may be exempted below.

14.112.040 Exemptions.

The exemptions for traffic impact fees are the same as for concurrency in LSMC 14.110.030.

14.112.050 Service Areas.

For the provision of public streets, implementation of the capital facilities and transportation elements of the comprehensive plan and administration of this chapter, three traffic impact zones (TIZ) are

established. They consist of TIZ 1 – East Lake Stevens, TIZ 2 – West Lake Stevens, and TIZ 3 – South Lake Stevens. The precise boundaries of these service areas are shown in **Figure 14.112-I**.

14.112.060 Mitigation of Traffic Impacts Required.

Any person who applies for a building permit for any development activity shall mitigate the development's impacts on the City's street system either by payment of an amount calculated pursuant to Section 14.112.080, or by dedication of land pursuant to Section 14.112.090, by construction of off-site street system capacity improvements pursuant to Section 14.112.090, or as otherwise provided in Section 14.112.070.

14.112.070 Relationship to the State Environmental Policy Act (SEPA).

This chapter establishes minimum impact fees, applied to all developments. These fees are presumed to mitigate traffic demand on the capacity of the city street system. However, each development shall be reviewed and be subject to the substantive authority of SEPA for potential adverse traffic impacts on the street system not mitigated by this fee.

14.112.080 Calculation of Street System Impact Fees.

(a) The traffic impact fees will be collected and spent for capacity improvements to the public street system identified in the City's capital facilities plan. In accordance with RCW 82.02.050(3), the impact fees shall only be imposed for system improvements reasonably related to development impacts and shall not exceed a proportionate share of the costs of the system improvements reasonably related to the development impacts, and shall be used for street system improvements that will reasonably benefit the new development.

(b) The street system impact fee cost basis is established in the

_____ based on methodology consistent with the requirements of RCW 82.020.050 through .100 including, but not limited to the following:

(1) Street system capacity improvements have been identified in the City GMA capital facilities plan that are reasonably necessary to maintain adopted street system levels of service while accommodating the future development envisioned in the City's adopted GMA Comprehensive Plan.

(2) The costs of the needed street system capacity improvements are estimated by the Public Works Director using generally-accepted engineering practices.

(3) The estimated costs are adjusted (reduced) to account for portions of the identified street system improvements that will likely be constructed by new development as part of their required on-site public street improvements and/or frontage improvements.

(4) The estimated costs are adjusted (reduced) to provide a credit for taxes (excluding impact fees paid under this section) paid by new development which help pay for the identified capacity improvements.

(5) The estimated costs are adjusted (reduced) to account for any improvements needed to remedy any level of service deficiencies in the street system serving existing uses.

(6) The estimated costs are adjusted (reduced) to reflect impacts on the capacity of the street system from new vehicle trips which have neither origin nor destination within the City of Lake Stevens (often referred to as "pass-through" trips).

(7) The final adjusted total costs of the identified improvements, as adjusted above, and aggregated for each traffic impact zone, are the cost basis of the impact fee.

(h) The number of weekday afternoon (PM) peak hour trips likely generated by existing land uses and future land uses (i.e., new development) are estimated based on current land use data and the adopted GMA Comprehensive Plan future land use map. The total existing and new trips are aggregated into the traffic impact zones.

(9) The maximum impact fee that can legally be charged to new development for each new weekday PM peak hour trip generated equals the cost basis of the impact fee divided by the new weekday PM peak hour trips for each traffic impact zone.

(10) The actual level of impact fees as established in _____ shall not exceed the maximum as calculated above.

14.112.090 Offsets

(a) The required traffic impact fees shall be reduced by the amount of any payment for public street system improvements previously made for the development either as a condition of approval or under voluntary agreements with the City entered into after the effective date of the ordinance codified in this chapter.

(b) Whenever a development has agreed to, pursuant to the terms of a voluntary agreement with the City, or is granted approval subject to a condition that the developer provide right-of-way for or construct off-site street system capacity improvements that are identified in the _____ as being part of the street system impact fee cost basis, the developer shall be entitled to an offset for up to the value of land or up to the actual cost of construction against the impact fee that would be chargeable under Section 14.112.060.

(c) The land value or cost of construction shall be estimated at the time of approval and shall be based on acceptable evidence and documentation provided by the developer. The evidence and documentation shall be reviewed and, if acceptable, approved by the Public Works Director or designee. When land is proposed for dedication, the person required to pay impact fees shall present either a Member of the Appraisal Institute (MAI) appraisal or evidence of the assessed value as determined by the county assessor's office. If construction costs are estimated, the documentation shall be confirmed after the construction is completed to assure that an accurate offset amount is provided. If the land value or construction cost is less than the calculated fee amount, the difference remaining shall be chargeable as an impact fee.

(d) The amount of the offset for a development activity shall not exceed the amount of the impact fee the development activity is required to pay.

(e) Any claim for offset should be made at least 30 days prior to application for a building permit so as to eliminate or minimize any delays in issuance of a permit.

14.112.100 Collection of Impact Fees.

Impact fees for each development shall be assessed and collected at the time of issuance of a building permit. Where no building permit will be associated with the development, such as a development requiring a conditional use permit, payment is required as a precondition to approval.

14.112.110 Uses of Traffic Impact Fee Revenues.

(a) Traffic impact fee revenue will be used for capital improvements on the public street system, not operating or maintenance expenses.

(b) Traffic impact fees shall be used for costs associated with city street system capacity improvements, including, but not limited to, planning, design, engineering, right-of-way acquisition, financing, project administration, construction, and/or construction engineering.

(c) In the event that bonds or similar debt instruments are issued for the advanced provision of system improvements for which impact fees may be expended and where consistent with provisions of the bond covenants, impact fees may be used to pay debt service on such bonds or similar debt instruments to the extent that facilities or improvements provided are consistent with the requirements of this section.

(d) Traffic impact fees are collected and spent on system improvements as opposed to project improvements as defined by and in accordance with RCW 82.02.090.

14.112.120 Expenditure Requirements for Impact Fees.

Traffic impact fee payments not expended within ten years shall be refunded, pursuant to Section 14.112.130; unless the City Council makes written findings that there exists an extraordinary and compelling reason for fees to be held longer than ten years. In order to verify these two requirements, impact fee revenues must be deposited into separate accounts of the City, and annual reports must describe revenue and expenditures

14.112.130 Refund of Fees Paid.

(a) Traffic impact fees collected pursuant to this chapter shall be deposited into an interest bearing account established for the City.

(b) If a development approval expires without commencement of construction, then the developer shall be entitled to a refund of impact fees paid, with interest, of the impact fee paid for that development. The developer must submit an application for such a refund to the Finance Director within 30 days prior to the expiration of the permit. By resolution, the City Council may adopt fees to offset administrative costs of collecting and refunding mitigation fees.

(c) Any funds not expended or encumbered by the end of ten years from the date the fee was paid shall be returned to the developer / owner with interest; provided, that the developer / owner submits a request for a refund to the City of Lake Stevens within one year of the expiration of the ten-year period.

(d) Impact fees that are not expended or encumbered within these time limitations, and for which no application of a refund has been made in accordance with this section, shall be retained and expended on -public street system facilities.

(e) Interest due upon the refund of impact fees shall be calculated according to the average rate received by the City on invested funds throughout the period during which the fees were retained.

August 9, 2012

Members of Lake Stevens Planning Commission and City Council, and
Ms. Rebecca Ableman, Planning and Community Development Director
City of Lake Stevens
P.O. Box 257
Lake Stevens, WA 98258

Reference: Comments on 20th Street Subarea Plan, Planned Actions and Associated Documents.

Dear Commissioners, Councilpersons and Director,

We are very appreciative of the time and effort you have invested in crafting a vibrant vision for the 20th Street Subarea. We share your vision and are excited about being a key stakeholder in the process. We are supportive of the City's Goals in creating a gateway corridor that blends community character through best land use planning and practices. We too envision optimally functioning roads and places connected to area wide public trail corridors and new centers of activity.

We admire the foresight of the planned action methodology and support zoning regulations that enable the City's future goals for redevelopment of underutilized obsolete buildings into a new functional and vibrant gateway. We are all aware of the economic climate that has clouded our country and region, and encourage the City to put in place solutions that enable new development, especially in this time of impinged commercial financing.

We outlined specific comments in our letter dated July 5, 2012 (attached) and appreciate the Director's reviews and revisions. After our analysis of the subsequent responses, we wish to offer the following:

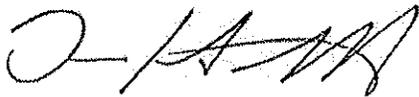
- *Please remove limits to building square footage in the MU zoning 14.38.020 (d)(3)(i).* To stop the City's economic leakage, private development must attract national retailers who are able to self-finance their buildings. These retailers have pre-specified footprints and sizes of their stores. For example, even relatively small drugstores like Walgreens average 17,000 square feet.

- *Please do not incorporate Conditional Use Permit (CUP) reviews in the MU zoning. CUP's require valuable funds that can be used for new roads and utility extensions that benefit the community. Creating additional layers of approval is unduly burdensome on builders and the City Staff.*
 - *Allow Pylon Signs on properties, not only directly located on State Highways, but those which share visibility of State Highways 14.38.100 (e)(7)(i). National retailers will be attracted to this amenity, bringing in economic vitality for Lake Stevens.*
 - *Revise 145.38.060 to 6 stalls per 1000 gfa. National tenants currently require a minimum of 5 stalls per 1000, and requiring a parking study to increase from the draft number is cumbersome and utilizes valuable staff resources. This is driven by the particular development user.*
 - *Give developer credits for costly utility extensions that will serve others in the subarea. The western gateway to Lake Stevens is a sewer no man's land. Sewer infrastructure should have been placed in conjunction with the East Everett developments. Floor area credits, along with other incentives should be given to encourage the infrastructure that the City envisions. We welcome working with Public Works and the LSSD to create solutions that create badly needed utility infrastructure.*
 - *Currently 20th Street SE carries approximately 1,350 vehicles per hour during the PM peak period. It is forecasted to almost triple to 4,000 vehicles per hour during the PM peak in 12 years. We encourage planning to insure that 20th Street has the necessary transportation infrastructure, including refuge/center turn lanes, that give the full complement of right and left turns to make commercial development successful and insure citizen safety. Safety is a public issue, and future plans should minimize accident potential. Although the last plan shows the intersection of 20th functioning at a LOS F under its stop sign controlled configuration, signalization or roundabouts at this intersection are a necessary transportation benefit for the entire subarea and does not accrue to any select group of property owners.*
-
- *We support the Preferred Alternative 2 to extend the planned three lanes to a five lane road along the frontage of 20th Street from the Trestle to Highway 9.*

This improvement provides the safety and capacity necessary to serve the citizens of the entire subarea and the proposed properties to be rezoned, now and into the future.

Thank you for the opportunity to submit these comments. As stakeholders, we look forward to continued active participation with the City in creating a vibrant subarea for 20th Street SE. Please don't hesitate to contact us at deloa@greenhillcommunities.com and damilot@hotmail.com with further questions. We are sincerely grateful to provide this information for your consideration.

Sincerely,



David Milot, Owner
7314, 7324, 7330 20th Street SE



Deloa Parrish, Project Manager
Greenhill Communities, LLC

July 5, 2012

Ms. Rebecca Ableman, Planning and Community Development Director
City of Lake Stevens
P.O. Box 257
Lake Stevens, WA 98258

Reference: Comments on Subarea Zoning Regulations and Design Guidelines for the
20th Street SE Corridor.

Dear Rebecca,

After attending the Open House on June 20, 2012 and the City Council Meeting on June 25 where the above information was introduced, we wish to submit the following comments for the City's consideration.

We support the City's planned actions and respectfully **request that zoning of Commercial District (CD) be applied to the properties at 7314, 7324 and 7330-20th Street SE.** As outlined in the Draft Subarea Zoning Regulations, these properties comply with the guidelines including *transportation accessibility, exposure to highways and arterials with adequate public services and traffic capacity characterized in this district (14.38.020 (b)).* This zoning classification also allows mixed use multi-family residential units located above commercial uses. The current economic climate forces us to request this zoning designation, as financing is only existent for larger retailers who have the ability to self finance. We plan to develop these properties within the next five years and will be attracting a national self-financing retailer to move this development forward.

This action meets the following City objectives as outlined in the Draft EIS:

1. Promoting economic development with a more positive balance of jobs and housing.
2. Achieve a mixture of jobs, goods and services, housing and recreation and open space.
3. Enhance the visual appearance of streets, sidewalks, sites and buildings.
4. Establish 20th St SE as an appealing new gateway into the city, integrating new development with existing neighborhoods.
5. Attract a variety of employers from smaller size to larger size business to create a regional employment center.

Should Staff and Council wish to retain the proposed Mixed Use Neighborhood designation, we respectfully request a change in the zoning code language as follows:

14.38.020 (d) (3) (i) Delete this paragraph: Sites with retail and service uses located in detached buildings are limited to a maximum floor area of 5,000 square feet.

14.38-11 Floor Area Ratios. Modify Basic Allowable FAR in MUN Non-Residential and Residential from 0.2 and 0.4 respectively to 0.5.

The square footage above would limit even smaller users such as banks or drug stores which are in the 15,000 square foot range.

Additional Zoning Code Change Recommendations:

14.38.060 Parking Standards. Retail Trade: Maximum 6 stalls per 1000 gfa

14.38.100 (e) (7) (i) The City will allow pole or pylong sign when it is necessary to identify a use that is oriented toward and primarily intended to serve highway motorists on commercially zoned properties within sight distance of state highways. Delete: and the main building is more than 100 feet from the right of way.

Design Guideline Change Recommendations:

II. A. 5. Drive through Uses. Delete paragraph b limiting drive through lanes to one. This language will preclude bank uses, and limits future development potential.

II. C. 2. Pedestrian spaces should be a minimum of 1 square foot of plaza per 1000 square feet of building area.

III. D. 2. Building Materials needs a provision for concrete tilt up construction.

We do not support the parking lot "cells" concept as discussed in Council Meeting of 6/25/12. This may be appropriate for residential developments, however a national retailer will have very specific parking requirements. The parking cell concept could hamper economic development for the City.

Please include the following infrastructure improvements as recommended actions into the EIS and the Subarea Plan:

- **Continue the widening of 20th westward towards the Trestle.** We support the final phase of the 20th Street widening, and respectfully request the City re-engineer the Snohomish County roadway plans. A 5-lane roadway with center-turn lane capabilities to continue westerly past Cavalero Road for an additional 600-feet creates safety along a high traffic and constrained roadway. The 4-lane roadway, as currently configured in the Snohomish County plans, will not accommodate the City's growth assumption, a refuge lane will remedy the safety concerns. Adequately sized transportation infrastructure must be in place for the City to attract quality development in the subarea.

- **Provide sewer infrastructure through the Subarea in conjunction with the widening of 20th Street.** The southwesterly portion of 20th Street is a sewer no-man's land. There is sewer service on the northern side of 20th serving the East Everett Developments but no sewer for parcels southwest of 79th/20th SE. This area encompasses prime developable land with views of Ebey Slough and Everett. In order for development to occur in this area, sewer service must be provided to this portion of the subarea. We have commissioned a sewer feasibility study performed by the Lake Stevens Sewer District and it was found that our properties have the capability to gravity flow to the manhole in the southwestern portion of 19th Street SE. A short easement would be required through a property on the north side of 20th. We have met with the property owner and he is amenable to granting the easement as long as a stub is provided to his property.

We continue to support the goals outlined in Development Alternative 2, specifically:

- Employment growth at mixed-use nodes and in new office park areas
- Upgraded utilities (sewer, water, drainage)
- A program of road, circulation and transit improvements; and
- Developing and/or amending zoning regulations and design guidelines to address growth.

Thank you for the opportunity to submit our comments. We look forward in actively participating with the City in creating a vibrant subarea for 20th Street SE. Please don't hesitate to contact us at deloa@greenhillcommunities.com and damilot@hotmail.com with further questions.

Sincerely,



David Milot, Owner
7314 and 7324-20th Street SE



Deloa Parrish, Project Manager
Greenhill Communities, LLC



8250 · 165th Avenue NE
Suite 100
Redmond, WA 98052-6628
T 425-883-4134
F 425-867-0898
www.tsinw.com

July 18, 2012

David Milot, Property Owner
Deloa Parrish, Project Manager
11555 SE 8th Street, Suite 200
Bellevue, WA 98004

Reference: 7314, 7324 and 7330 20th Street SE Properties – Traffic Improvement Considerations.

Dear Mr. Milot,

Thank you for asking TSI to assist you in the review of the 20th Street Southeast Corridor Planned Action EIS in relation to traffic and access to your properties referenced above. This letter summarizes our suggestion for the City's consideration of certain improvements in the vicinity of your property. The purpose of these improvements is to ensure the capacity and safety necessary for the general public using 20th Street SE as well as provide necessary safety and capacity for the commercially zoned properties west of Cavalero Road.

We have reviewed the proposed 20th Street SE Corridor Planned Action EIS including the Transportation element of the DEIS and the associated traffic analysis. We note that the current plan implies that the intersection of 20th Street SE at Cavalero Road will remain stop sign controlled. Further, the three lane section on 20th Street SE at the intersection with Cavalero Road would be reduced to two lanes in front of your property. We find that the stop sign controlled intersection of 20th Street SE and Cavalero Road operates at LOS F under current and future conditions. The section of 20th Street SE adjacent to your property currently carries approximately 1350 vehicles per hour during the PM peak period, and is forecast to carry over 4000 vehicles per hour during the PM peak hour in 2025. Based on these traffic volume forecasts, we believe it would be unsafe to permit the intersection of Cavalero Road and 20th Street SE to remain a stop sign controlled intersection. Thus, we believe it will be necessary that a traffic signal or roundabout be installed at this location.

Your properties (about 6 acres) are proposed for commercial redevelopment as part of the 20th Street SE Corridor Planned Action. Although it is too early to have a specific development plan, a site this size with commercial development could generate between 100 and 225 vehicles per hour during the PM peak hour. Your site would be confined to 20th Street SE and will require a full complement of right and left turns to make the commercial development successful.

Based on our initial review we find that your property and other properties along 20th Street SE would not have safe and adequate access if the section of 20th Street SE west of Cavalero Road were to remain a two-lane road.

Accordingly, we strongly recommend that you and the City of Lake Stevens consider the following specific improvements to be incorporated as mitigation to the land-use plan:

- A traffic signal or roundabout at the intersection of 20th Street SE at Cavalero Road.
- Extend the planned three to five lane road (based on the adopted Preferred Alternative 2) west on 20th Street SE along the frontage of where property is anticipated to be rezoned for commercial or higher density development.

These improvements will provide the safety and capacity necessary to serve the development on the proposed rezone properties, including yours. The costs for these improvements should be incorporated as part of a Transportation Benefit district and/or Traffic Impact Fees for this area. These strategies should be used because these improvements benefit the entire area and do not accrue to any single or select group of property owners.

It is my understanding that Level E has been applied to the 20th Street Corridor to allow concurrency for early developments. We believe this is a sound decision because it provides the catalyst necessary to spur development that, in turn generates traffic impact fees that can help fund the necessary road improvements.

I trust this provides you with the input you need to work with the City during the review phase of this project. If you have any questions regarding our observations or conclusions, I invite your call.

Sincerely,

Transportation Solutions, Inc.

A handwritten signature in black ink, appearing to read "David D. Markley". The signature is fluid and cursive, written over a light gray grid background.

David D. Markley
Principal