

## Public Comment Tracker – Samish Way (comments received through 7/8/09)

	Packet Page / Date Received	Name	Public Comment	Staff Recommendation NC = No change to proposal C = Change to proposal	Planning Commission Recommendation NC = No change to proposal C = Change to proposal
1A	5/21/09	Michael Lilliquist	He expressed his concern about the character of the actual buildings not being well specified at the pedestrian level. He would like to see the Plan include a section about building design, not just building scale. He suggested that the design regulations be “implemented in a predictable and fair fashion” and that the language be clear enough to “indicate what sort of building, particularly at street level, would be encouraged and / or allowed.” He would like to see guidance as it relates to door and window pattern, so a landowner or architect does not fail to achieve a successful design.	<b>NC - See comment tracker for proposed Urban Village Design Standards</b>	<b>NC</b>
1B		Michael Lilliquist (cont)	He cited the Key Bank building and indicated his concern over this type of design happening in future urban villages. He suggested having “frequent and regularly spaced doors and windows at the pedestrian level”. He also provided some examples of different design options. He discussed the importance of doors and indicated they are “the actual welcoming points”. He pointed out that awnings are not addressed in the plan. He suggested including requirements that address the height and length of an awning.	<b>NC – See comment tracker for proposed Urban Village Design Review</b>	<b>NC</b>
1C		Michael Lilliquist (cont)	He suggested that the language “interesting and comfortable environment for pedestrians” be explained further in the plan, so it is not misinterpreted.	<b>NC – Staff would be willing to consider suggestions that clarify this language but is not clear as to what may cause this statement to be misinterpreted.</b>	<b>NC</b>

2	6/08/09	MNAC	The Mayor's Neighborhood Advisory Committee voted unanimously on May 20, 2009 (of those neighborhoods present) to recommend the Planning Commission approve the Samish Way Urban Village Master Plan.	<b>NC</b>	<b>NC</b>
3A	6/10/09	Dave Cole, Brian Henderson, and Tim Hostetler	Concern that some of the housing types proposed in the Infill Toolkit would be used as rentals. They would like to see "housing types that would best lend themselves to owner occupancy and single-family living along 34 <sup>th</sup> Street." They pointed out the importance of choosing housing types that most closely match the single-family atmosphere in the transition zones where new development meets established single-family homes. [Amendments to this letter, submitted 6/16/09 are described in #8 below]	<p><b>C</b> – Staff recommends splitting the Residential Transition area into three parts, with different permitted uses in each:</p> <p><u>Existing Sehome RS zone:</u> SFR, Infill Toolkit <b>minus duplex, triplex and townhouses</b></p> <p><u>Existing MF zone:</u> SFR and all Infill Toolkit housing types</p> <p><u>Existing York Area 5:</u> SFR, <b>only cottage, carriage, ADU, and SF housing types from Infill Toolkit.</b></p> <p>Staff recommends 1101 Newell Street be included in the CT area (see 10C).</p>	<b>C – Per staff's recommendation</b> , with the addition of removing York Area 5 from the project boundary (except for 1101 Newell). Also, to prohibit the "smaller lot" Infill Toolkit housing form within the existing Sehome RS zone.
3B		Dave Cole, Brian Henderson, and Tim Hostetler	Concern regarding automobile access from new development east of North 34 <sup>th</sup> Street. They requested that staff consider NO AUTOMOBILE access in this area due to the safety concerns it would raise for pedestrians and bicyclists that use that street. They also pointed out that there is a chance that 34 <sup>th</sup> Street could become an alternative route to Samish Way for bicyclists and pedestrians once redevelopment begins.	<p><b>C</b> – Staff recommends adding language prohibiting access to 34<sup>th</sup> Street from the commercially-zoned areas of the urban village.</p> <p>Construction of single family homes on 5,000 square foot lots or smaller Infill Toolkit uses accessing 34th Street would replicate the existing character of homes along 34th Street. Individual driveway access should be allowed, as it would be for single-family residences elsewhere in the City that require</p>	<b>C – Per staff's recommendation</b>

				<p>access to the public street. Shared driveways could be considered, but may deviate from the existing character of the neighborhood, since all other homes along 34th have individual driveways. The minimal residential access to 34th Street also does not preclude the use of 34th as an alternative bicycle route to the Samish Way arterial; the additional traffic generated by the small scale residential uses would be minimal. Sight distance standards for driveways are required by the Public Works Department.</p>	
3C		Dave Cole, Brian Henderson, and Tim Hostetler	<p>They also expressed their concern about on street parking and the importance of preserving the character of the street as it currently appears.</p>	<p><b>NC</b> – Parking occurs today along portions of the unimproved shoulder of 34<sup>th</sup> Street. Future improvements to construct landscape bump-outs and strategic parking pockets would restrict parking to places where it is deemed appropriate. The proposed Subarea Plan states that “pocket parking and stormwater landscaping dimensions may vary depending on the localized conditions such as topography, desire to preserve existing vegetation, and whether the property owners desire on-street parking”. Pocket parking is included as a requirement of development greater than 3-units to offset the lowered onsite parking requirements and make parking available to visitors.</p>	<b>NC</b>

3D		Dave Cole, Brian Henderson, and Tim Hostetler	Finally, they wanted to be assured that the pedestrian path that will go through the mobile home park is accessible by the general public.	<b>C</b> – Public accessibility is the intent of this proposed bike/pedestrian connection. Staff proposes to revise the language on the Circulation and Bike/Pedestrian maps to read “Public Access Easement” instead of “Private Easement”. Additionally, language will be added to the BMC outlining the requirements and process for the easement dedication.	<b>C – Per staff’s recommendation</b>
4A	6/11/09	Don Keenan, Sehome Neighborhood Association	He stated that although “the Association is very pleased with both the proposal and the excellent open and interactive process staff utilized to develop it”, they do have concerns. They requested that the transition zone along 34 <sup>th</sup> Street and Otis Street be limited to either the “small lot” housing form proposed in the Infill Toolkit or single-family development under BMC 20.30. They recommended that “small lot development structured like a cottage development be allowed where there is space.”	<b>C - See 3A above</b>	<b>C – See 3A above</b>
4B		Don Keenan, Sehome Neighborhood Association	They also expressed their concern regarding the possibility of future access from 34 <sup>th</sup> Street to the new developments in the transition zone.	<b>C – See 3B above</b>	<b>C</b>
4C		Don Keenan, Sehome Neighborhood Association	The final recommendation from the Board was that the City impose an absolute height limit of 25 feet in the residential transition zone, as opposed to an average height of 25 feet with a pitched roof.	<b>NC</b> - Staff recommendation is that the single-family development regulations remain consistent throughout the City to provide predictability for the existing homeowners and a fair standard for future single-family development. The existing 35-foot height limit provides a more gradual buffer from the Commercial Transition area.	<b>NC</b>

5	6/11/09	Edward Crasper	He expressed his complete support for the Samish Way Urban Village project.	<b>NC</b>	<b>NC</b>
6	6/12/09	Charles Dyer	He complemented the staff on the work done thus far on the plan and accompanying regulations. He expressed his support for the Samish Way plan, except for “the Infill Toolkit forms and height limits in a particular residential transition zone, as laid out by the Sehome Neighborhood Association Board of Directors in the June 11, 20-09 letter from Don Keenan to Darby Galligan”. He recommends the changes in the aforementioned letter be considered, and then forwarded to City Council for adoption.	<b>C – See 3A above</b>	<b>C – See 3A above</b>
7A	6/15/09	David & Kathryn Schlecht	They expressed their opposition to the 37 <sup>th</sup> Street extension and footpath. The stated that “a 30-60 foot road across the property would only reduce the buildable square footage plus fewer on-site parking spaces”.	<b>NC</b> – Staff met with the property owners potentially affected by the proposed extension of 37 <sup>th</sup> Street, and agreed that a full 60-foot right-of-way would be excessive in this area at this time. The proposed plan was altered to show a “Bike/Ped/Alley Access Design and Location To Be Determined”. The determination on the width and exact location of this connection should be made at the time of future redevelopment based on the specific development proposal and will not affect the existing single-family residence. At minimum, an access alley and bike/pedestrian connection should be provided upon redevelopment to allow access for service vehicles, fire trucks and deliveries, as well as to provide bike and pedestrian connections through the village up to the York Neighborhood.	<b>NC</b>

7B	6/15/09	David & Kathryn Schlecht	They expressed their concern that the private and secluded setting they enjoy now will be changed by the busy street exposure. They suggested that the changes be confined to Samish Way only.	<b>NC</b> – The project is to implement an urban village master plan for this area; aesthetic changes to Samish Way would not accomplish this goal.	<b>NC</b>
8	6/16/09	Dave Cole, Brian Henderson, and Tim Hostetler	Submitted some revisions to their letter from 6/10/09. They removed their recommendation of smaller lot housing in the transition zone. They also removed the idea that they are “pleased with the idea of using the Infill Toolkit to determine housing types along the east side of 34 <sup>th</sup> Street.” They further suggested, as it relates to the redevelopment of the Samish Mobile Home Park, that it might be appropriate to consult with Kulshan Land Trust.	<b>NC – See 3A above.</b> Representatives from the Kulshan Land Trust were invited to (and attended) the public workshops and public meetings. This property is privately held and not owned by the City.	<b>NC</b>
9	6/17/09	Nick Hartrich	He stated that Sustainable Connections supports the Samish Way Urban Village Subarea Plan and believes that it is “an excellent location for growth and development of local businesses”. He pointed out that the plan promotes public transit and pedestrian friendly neighborhoods. He stated that the mixed land use encourages a range of housing types for people with a variety of income levels. He commented that urban village areas are the most efficient way to reduce sprawl, and allow an increased efficiency of already developed land and infrastructure.	<b>NC</b>	<b>NC</b>
10A	6/18/09	York Neighborhood Association	They submitted some amendments for staff’s consideration in an effort to resolve some neighborhood concerns.  1. They would not like traffic to flow into Area 5 of the York Neighborhood. They are requesting that the 3 cul-de-sacs remain as they are now. They would not like to see traffic be routed down the 1100 block of Franklin St or the two alleyways to the east and west of Franklin.	<b>C</b> - Staff added the following circulation policy to the Subarea plan: <u>“Implement traffic management techniques as needed based on Public Works’ adopted criteria to regulate traffic flow through established neighborhoods as density increases.”</u>  Specific traffic management	<b>C – Per staff’s recommendation</b>

			<p>2. To achieve the above recommendation – the neighborhood suggests making Edwards St. a one-way road flowing to the east and insert a bump at Otis. They also suggested adding speed bumps on the 1100 block of Franklin St and on Whatcom St just west of the Franklin Park entrance. Their final suggestion included making Franklin St (at Edwards) and the alleys into cul-de-sacs; or creating Edwards St (at Otis) into a cul-de-sac.</p>	<p>strategies must be designed to the actual physical impacts and not the anticipated impacts. Transportation modeling for the Samish Way urban village in the context of the overall City transportation network may be done during the next Comprehensive Plan update in 2010-2011. The State Growth Management Act requires a transportation element that implement and is consistent with the land use element. This means that if the Samish Way proposal is approved there must be an adequate transportation system to accommodate the planned growth and development.</p> <p>Speed humps cannot be installed on any residential street in any neighborhood unless it qualifies for traffic calming through the neighborhood traffic safety program (according to specific criteria). Per the 2010-2015 transportation improvement plan (TIP) that was adopted on June 1, 2009, there is no funding budgeted for the Neighborhood Traffic Safety Plan (NTSP) for the next several years due to the reductions in City revenues.</p> <p>Whatcom Street (adjacent to Franklin Park) was evaluated through the NTSP in both 2007</p>	
--	--	--	--	--	--

				<p>and 2008 and does not qualify for speed humps at this time, nor did the 3 York Neighborhood Association streets within the project area meet the criteria for traffic calming at this time.</p> <p>The full traffic diverters at the south ends of Grant and Humboldt Streets were installed by the City through the NTSP Program in 2001-2002. There are no plans to remove or breach them to route vehicle traffic onto these streets.</p>	
10B	6/18/09	York Neighborhood Association	<p>3. The neighborhood would like the transportation fees, the park impact fees and the REET funds derived from the development of York's Area 8 to be "prioritized for reducing vehicular traffic impacts and promoting walking-biking traffic to the adjoining Area 5 and for improvements and service to Franklin Park".</p>	<p><b>NC</b> – The Subarea Plan contains these policies:</p> <p>Page 33: "Incorporate pedestrian/bicycle connections and plazas into the Parks Capital Facilities Plan so that Park Impact Fee funds may be applied to acquisition and/or construction of capital projects within the project area."</p> <p>Page 35: "Park and Transportation Impact Fees generated from redevelopment in this area may be a potential source of revenue for capital facility projects. However, these projects must be incorporated into the Capital Facility Plans of the Parks and Recreation and Public Works Departments in order to utilize this funding source."</p>	<b>NC</b>



				<p>Page 37: “Public plazas and other park amenities should be adopted into the Parks Capital Facilities Plan to make these improvements eligible for Park Impact Fee funds. Street improvements and other capital facility goals within this document should be prioritized and adopted into the Public Works Capital Facilities Plan to make these improvements eligible for Transportation Impact Fee funds.”</p> <p><u>Transportation Impact Fees (TIF)</u> will be charged for all new development. TIF’s are not re-directed into specific portions of the City. They are used City-wide to help fund the capital improvement projects that are adopted in both the Transportation Element of the Comprehensive Plan and the 6-year Transportation Improvement Program (TIP) and are needed to accommodate new development. This is the State law. There are no projects in the 2010-2015 TIP for the York or Sehome Neighborhoods. Due to extreme reductions in City revenues, no new projects were added to the 2010-2015 TIP.</p> <p>The enhanced pedestrian crossings at Lakeway/Grant and</p>	
--	--	--	--	---	--

				<p>Maple/Newell will be constructed in 2009 with Recovery Act (ARRA) funding but would not have qualified for TIF funding.</p> <p><u>Park Impact Fees</u> are charged to all new development on a City-wide basis. As with TIF's, Park Impact Fees must be spent on projects in the City's Parks Capital Facilities Plan. They are not restricted for use in the Samish Way urban village, but this designation is ultimately up to the City Council, who approves the City Capital Facilities Plan and annual budget.</p> <p>The current adopted fee schedule allocates 20% of the fees collected to neighborhood facilities and 80% to City-wide facilities. Since neighborhood park facilities often serve more than one identified City neighborhood, fees from one neighborhood could be used in another. For example, Park Impact Fees collected from the York, Sehome and CDB Neighborhoods were used to expand Rock Hill Park last year</p> <p>It is the intent of the proposal to use at least 20% of the fees collected for facilities that will serve this area. However, code is flexible enough to allow</p>	
--	--	--	--	---	--

				<p>expenditure of fees anywhere. If, for example, land was not acquired for a new plaza in the urban village, any fees collected would be used on another project. If there is additional need for improvements at Rock Hill, Laurel or Franklin Parks that are identified in the City's Parks Capital Improvement Plan fees could be used here as well.</p>	
10C	6/18/09	York Neighborhood Association	<p>4. The York Neighborhood is requesting that the property at 1101 Newell be included in the residential transition zone to lessen the intensity on the adjacent single-family neighborhood.</p>	<p><b>NC</b> – During phone calls to the affected property owners of the York Area 5 neighborhood, the property owner at 1101 Newell informed staff that his 1,500 square foot property is currently tied to the adjacent property (Master Lube) through a series of easements and that, although he has no intention of redeveloping at this time, any future redevelopment would be most practical with the consolidation of his small lot with this larger property. Nothing could be built on this property alone (under the current or proposed zoning) without significant variances.</p>	<b>NC</b>
10D	6/18/09	York Neighborhood Association	<p>They would like this transition zone to be just as it is today with no Toolkit forms allowed.</p>	<p><b>C – See 3A above.</b> Staff believes the proposed changes represent a compromise between the desires of the property owners and the neighborhood association.</p> <p>Staff contacted each property owner within the proposed Residential Transition area, both</p>	<p><b>C</b> - Recommendation to remove York Area 5 from the project boundary.</p>

				<p>by direct letter and with a personal phone call, to explain the proposed land use and discuss each property owners' plans and thoughts about the proposal. Staff also held a meeting with the York Neighborhood Association and the effected property owners to discuss the proposal.</p> <p>All but 1 property owner was interested in some or all of the housing types proposed within the Infill Toolkit, which was why this area was included in the Residential Transition boundary. Including this area would provide a more gradual transition to the single-family neighborhood. Only approximately 4 additional units are estimated for the area if included in the RT boundary.</p>	
11	6/18/09	Preston Schiller	<p>He expressed his concern about the proposal of four travel lanes and suggested a two-lane road with left-turn pockets to accommodate the traffic volume. He stated that four lanes of travel would "accommodate more traffic than the neighbors will want as well as lower safety for all users and the quality of the street for pedestrians and bicyclists". He stated that changes to the neighborhood streets could increase connectivity and reduce congestion along Samish Way; however, if not done well "it will lead to more traffic on Samish Way as well as rat-running through the adjacent neighborhood". He pointed out that although the urban village design for sidewalks allows them to be 12 feet, it does not always end up that way after various encroachments of</p>	<p><b>NC</b> - The goal is to balance transit, automobile, bike and pedestrian modes within a limited amount of right-of-way. Staff worked closely with the public workshop participants, Fire Department, Whatcom Transportation Authority, Sanitary Services, and the Public Works Departments to analyze a wide array of street designs, including several 1-lane options. According to an analysis of existing data by the Public Works Department, Samish Way would reach a high level of congestion (level of service F) even with no additional</p>	<b>NC</b>

			<p>“fenced areas for restaurant patios, sign boards, plantings, etc.” He wanted to know if transportation studies have addressed Pedestrian Level of Service. He does not support the Sharrow lanes due to his experience of motorists not being careful or polite to cyclists. He requested that the street design for Samish Way be reconsidered.</p>	<p>redevelopment on Samish Way. The Fire Dept. stated that this is a primary cross route through the City where response times could be greatly affected by slowing traffic. WTA and SSC echoed similar concerns about traffic flow for their service needs.</p> <p>In addition to these important traffic flow requirements, on-street parking necessitates an additional traffic lane to allow traffic to continue while people are parallel parking. Adding parking to the Core of Samish Way (between Consolidation and Abbott Streets) is an important consideration for several reasons:</p> <ol style="list-style-type: none"><li>1) Proposed design standards would require buildings to be located adjacent to the sidewalk edge (unless providing additional area for wider sidewalks, public space or outdoor cafes). Adding street parking adjacent to the building entrance was an important concern for property owners who want their customers to be able to park outside their business.</li><li>2) Providing on-street parking creates a buffer between the pedestrians on the sidewalk and the drive-lane, making the shopping and dining experience more enjoyable.</li><li>3) On-street parking is the most</li></ol>	
--	--	--	---	--	--

				<p>efficient way to park new development due to the high turnover rates and balances the reduced onsite parking requirement.</p> <p>4) Adding on-street parking signals the entrance to the commercial core and slows traffic. This character can be further emphasized by providing banners, street furniture, public art, etc.</p> <p>The Fire Department approved reducing the primary lane and landscaping median/turn lanes to a narrow 10.5 feet. This allows the addition of a continuous, wider 14-foot "sharrow" lane to accommodate bicycles, while still providing a 12-foot sidewalk considered appropriate for an urban area.</p> <p>As traffic and density increase, the speed limit will be lowered to 25 mph and signalized intersections added to key intersections to create a quieter traffic environment and safe pedestrian crossings. Alternate bike routes will be indicated through a wayfinding system for those who prefer not to ride on the arterial. Staff presented this proposal to the Bike/Pedestrian Advisory Committee and the Parking Commission, which both supported the proposed street designs.</p>	
--	--	--	--	---	--

12	6/18/09	Drew Weidenbacher	He requested that the Commission approve Commercial Transition zoning for his property at 1101 Newell Street. He stated “any restriction placed on the property or zoning difference from that of the Master Lube’s will only hamper development and growth because we share a boundary that is confounded with easement issues”.	<b>NC – See 10C above</b>	<b>NC</b>
13A	6/18/09	Jeff Kenoyer	He is the owner of the Samish Way Mobile Home Park and expressed his concerns about neighborhood comments. He stated that 34 <sup>th</sup> Street is the only access to his proposed project and because he will be funding street improvements along 34 <sup>th</sup> Street, he would like to have driveway access to the road.	<b>NC – See 3B above</b>	<b>NC</b>
13B	6/18/09	Jeff Kenoyer	He stated that if the height limit of 25’ was imposed in this area, his project will not work.	<b>NC – See 4C above. NOTE:</b> The Infill Toolkit was approved with a 35-foot height limit for the townhouse building type. Additionally, the 35-foot height limit is maintained for single-family development.	<b>NC</b>
14	6/18/09	Dominique Zervas	She is writing on behalf of Bill and Bob Beye, owners of the Arby’s restaurant located on Samish Way. Supports the urban village concept for the future. Stated that if the proposed zoning is approved, her clients’ restaurant will become a non-conforming building. She explained how the non-conforming status would be harmful to her clients and urged staff to consider adding language to the plan that would “ensure owners of <b>existing</b> properties, businesses, and structures are protected by ensuring that the zoning changes do not create non-conforming uses”.	<b>C</b> – Staff changed the permitted uses chart in the development regulations to reflect existing drive-through restaurants are considered a permitted uses. Additionally, language was included that allows all uses that become non-conforming as a result of this ordinance to rebuild to their previous configuration in the event of accidental destruction.	<b>C – Per staff’s recommendation</b>
15A	Public Hearing 6/18/09	Philip Serka	He represented Albar LLC, owner of the former McDonald’s/Popeye’s Restaurant. He said the “proposed Samish Way Subarea Plan and zoning code amendments will detrimentally	<b>C</b> – Access and connectivity is the foundation of urban village development. The potential level of development envisioned by the	<b>C – Per staff’s recommendation</b> , with the removal of the requirement to construct the street at the time

			<p>impact the marketability of their (his clients) property.” He expressed opposition to the 35<sup>th</sup> street extension and the pedestrian / road access along the south border of the property. He stated that there are no city funds allocated to construct the extension of 35<sup>th</sup> Street or the unnamed road extension abutting the southern end of the property, instead “the City proposes that property owners not only give up their property but pay for the improvements of the streets.” Does not want the road to be required unless the necessity of it is considered.</p>	<p>Samish UV Master Plan <i>requires</i> new automobile access, parking, and pedestrian facilities via an enhanced street grid system consistent with the purpose and intent of a higher intensity urban environment.</p> <p>Staff proposes to remove the right-of-way known as “Perkins Street” from the map. This is an east-west connector from 35<sup>th</sup> to Samish Way that currently contains a 30-foot wide driveway that performs this function.</p> <p>Staff has added language to the development regulations clarifying that FAR is calculated based on the pre-dedication square footage of the property.</p> <p>Staff proposes changing the 35<sup>th</sup> Street extension to a Type II (60-foot wide right-of-way) street with sidewalks and parking on both sides. The “Street Improvement” section of the development regulations has been revised to require dedication and LID commitment, but not construction of the street. Providing a 60’ wide right-of-way creates the following benefits:</p> <ol style="list-style-type: none"> <li>1) Allows for the creation of on-street parking to support a lower onsite parking requirement;</li> <li>2) Property owners would retain all development rights of the</li> </ol>	<p>of redevelopment.</p>
--	--	--	---	---	--------------------------



				<p>dedicated land (receive 2.5 sq. feet of development right for each square foot dedicated);</p> <p>3) Creates an alternative access for the increased level of development that is anticipated along Samish Way. Driveways along Samish Way should be consolidated, and as density increases, multiple access points will be needed to avoid clogging the arterial;</p> <p>4) Creates an alternative access for structured parking, garbage service, and commercial deliveries. This is especially important with the requirement to push buildings to the street edge along Samish Way;</p> <p>5) Fulfills the requirement for Fire Department access – otherwise a private Fire lane with a minimum of 56-feet of clearance would be required on private property;</p> <p>6) Provides additional bike and pedestrian access through the area;</p> <p>7) Allows for commercial street frontage for redevelopment that occurs within the CT area.</p>	
15B	Public Hearing 6/18/09	Philip Serka	He also requested that drive-thru facilities continue to be allowed in the Commercial Core. He spoke to the constrictions that a non-conforming use would have on his clients building, and pointed out that if the plan was	<b>C – See 14 above</b>	<b>C – Per staff's recommendation</b>

			adopted there would only be one year allowed to obtain an occupant or the use will terminate. He expressed his client's opposition to the proposed sign regulations as well, since they would cause the existing pole sign on the property to become non-conforming.		
16	Public Hearing 6/18/09	John Canterbury	He is a partner in Albar, LLC, owner of the former McDonalds / Popeye's Restaurant. He agreed that the Samish Way area is an appropriate area to accommodate the expected growth; however, he requested that the proposed plan be modified to allow his property to maintain the "present use can continue unencumbered or restricted by new regulations". He also wants existing signage allowances to remain.	<b>C – See 14 above</b>	<b>C – Per staff's recommendation</b>
17A	Public Hearing 6/18/09	Don Keenan	He represents the Sehome Neighborhood Association. Expressed that small lot single-family, standard single-family, or cottages (on their own lot) be the only permitted uses in the RT area.	<b>C – See 3A above</b>	<b>C – See 3A above</b>
17B	Public Hearing 6/18/09	Don Keenan	He also stated that no new access should be allowed onto 34 <sup>th</sup> Street.	<b>NC – See 3B above</b>	<b>NC</b>
17C	Public Hearing 6/18/09	Don Keenan	He also stated that all development within this area should be limited to 25-feet, including single-family residences.	<b>NC – See 4C above</b>	<b>NC</b>
17D	Public Hearing 6/18/09	Don Keenan	Would like staff to consider that ongoing monitoring and analysis of the effectiveness of Design Review occur as projects develop in the area.	<b>C – Staff has added a Building Design Policy to Page 15 of the Subarea Plan: "Monitor the effectiveness of the adopted Design Review criteria as development occurs in the area."</b>	<b>C – Per staff's recommendation</b>
18A	Public Hearing 6/18/09	Scott Swanson	He represents Mark & Cindy Morley who own property on Abbott Street and Otis Street. He stated that all the properties are multi-family structures. He pointed out that the proposed zoning does not follow the property lines and one of the Abbott properties has been split into	<b>C – Staff has changed the CT boundary on the land use maps to reflect this request. This change unifies the property zoning and creates opportunity for ground floor commercial use</b>	<b>C – Per staff's recommendation</b>

			2 different zones. He requested that this entire property be zoned in the Commercial Transition zone.	along the Abbott Street woonerf at the base of the trail, which supports the public vision of this area as an entry-way to the village and a public gathering place.	
18B	Public Hearing 6/18/09	Scott Swanson	He expressed concern about the sidewalk improvement requirements that would fall onto his clients in the event of a major disaster to the property. He stated that his clients are not interested in dedicating any property to the proposed right-of-way; however they are interested in the possibility of a pedestrian trail. He expressed concern about the proposed right-of-way location being very close to the side of the buildings.	<b>NC</b> – Destruction and reinvestment of more than 50% of the property value (for any reason) would result in improvements that would last 30+ years. It is important to get the minimum street improvements in the meantime. The addition of a sidewalk adjacent to this property is minimal expense, and is consistent with the regulations for the rest of the City.	<b>NC</b>
18C	Public Hearing 6/18/09	Scott Swanson	He commented that the Otis Street property would become non-conforming in the event that the proposed rezone was approved. He requested that there be provisions added to the plan for those existing structures.	<b>C – See 3A above</b>	<b>C - See 3A above</b>
19A	Public Hearing 6/18/09	Jim Bjerke	He expressed his concern about the proposed break-up of a “super-block”. He stated that in order to entice a developer to come in and build, it is going to be important not to bisect large blocks with access roads.	<b>C – See 15A above</b>	<b>C – See 15A above</b>
19B	Public Hearing 6/18/09	Jim Bjerke	He also expressed concern about the drive-thru becoming non-conforming and only have one year to find a tenant before the use cannot continue at all.	<b>C – See 14 above</b>	<b>C – Per staff’s recommendation</b>
20	Public Hearing 6/18/09	Nick Hartrich	He represented Sustainable Connections. He lives on Franklin Street in close proximity to the project boundary. Is comfortable with the current height limit. Demographics are different today and people are interested in housing choices. Likes the density bonuses.	<b>NC</b>	<b>NC</b>

21	Public Hearing 6/18/09	Derek Long	He represented Sustainable Connections and discussed the early planning stages of the Samish Way Subarea Plan. He stated that although there are opportunities for improvements, he support the work that staff has done.	<b>NC</b>	<b>NC</b>
22	Public Hearing 6/18/09	Drew Weidenbacher	He owns the property at 1101 Newell, which is adjacent to Master Lube. His house is currently zoned RS and he supports changing it to CT.	<b>NC – See 10C above</b>	<b>NC</b>
23	Public Hearing 6/18/09	Dave Cole	Owns property at 203 N. 34 <sup>th</sup> Street. Appreciates most of the project, but realized late that single-family residences are also still proposed to be allowed in the RT area. Would like to see cottages and small lot single-family residences with a 25' height limit. Stated that most of the neighborhood isn't single-family residential and he would like owner-occupancy to be promoted. Supports the Kulshan Land Trust doing a project in this area. Would like access to 34 <sup>th</sup> Street into the mobile home park to be restricted.	<b>C – See 3A,B,C and 4C above</b>	<b>C – See 3A above</b>
24A	Public Hearing 6/18/09	Dominique Zervas	Representing the Arby's property, owned by the Beye brothers. Supports the urban village concept in the future. Key concern is the NCU timeline. Will submit some language for consideration to address this concern.	<b>C – See 14 above</b>	<b>C – Per staff's recommendation</b>
24B	Public Hearing 6/18/09	Dominique Zervas	She stressed the importance of the streetscape improvements to set the stage for development and said that more details are needed regarding the funding for this.	<b>C - Funding estimates are provided on Page 36 of the Subarea Plan. Estimates for 34<sup>th</sup> Street will be added.</b>	<b>C – Per staff's recommendation</b>
25A	Public Hearing 6/18/09	Jeff Kenoyer	He owns the mobile home park. Stated that the project will be difficult without access onto 34 <sup>th</sup> Street.	<b>NC – See 3B above</b>	<b>NC</b>
25B	Public Hearing 6/18/09	Jeff Kenoyer	Requested the entire property be zoned CT instead of residential with no access.	<b>NC – Staff recommends that the commercially zoned areas of the urban village be separated from the existing single-family neighborhoods through the</b>	<b>NC</b>

				establishment of the Residential Transition buffer area.	
25C	Public Hearing 6/18/09	Jeff Kenoyer	He stated that a 25-foot height limit would make it difficult to develop considering the slope and desire to provide garage parking.	<b>NC – See 4C above</b>	<b>NC</b>
25D	Public Hearing 6/18/09	Jeff Kenoyer	He suggested that 35 <sup>th</sup> Street be designed as a private road so that developers could design it to their own particular needs.	<b>NC – The City supports the idea of a private road, but doesn't see any benefit to the developer. The necessary minimum standards would be the same as a public street, but the property owner would become responsible for maintenance, parking enforcement, etc. Development rights would be maintained in either circumstance. There are no setbacks from public streets as part of this proposal (except when abutting a residential zone, which would not effect this location).</b>	<b>NC</b>
26	Public Hearing 6/18/09	Tom Scott	He is the President of the York Neighborhood Association. Supports the urban village concept. Concerned about Area 5 being struck from the Land Use Map. Stated that the neighbors thought this area was proposed to be zoned RS because it was the same color. Wants single-family residences to be protected. Would like to see transition of something approximating single-family.	<b>C – See 3A above.</b> Staff added a design requirement to the Samish Way development regulations to require a 15 foot setback and 2 story height limit within 30-feet of a property line when adjacent or across a right-of-way from a residential area.  The Commercial Transition area was split into 2 separate sections. The area adjacent to the York Neighborhood would contain a 45-foot height limit. This lessens the height limit while still allowing some possibility of achieving structured parking.  Because of the complexity of the	<b>C – See 3A above</b>

				zoning layers, the land use designations are contained in the Samish Way Development regulations and Subarea Plan and no longer detailed on the Land Use Map. Staff is proposing that the Land Use and Zoning Maps reflect the larger Samish Way Subarea designation with details provided within the code.	
27	Public Hearing 6/18/09	Anne Mackie	She expressed her concern about retaining the single-family zone along Edwards Street. She commented one fear the neighborhood has is the transition zone would allow demolition and a 35' height limit. She would like to see the single-family zone preserved in an effort to provide a buffer. She expressed concern that if 1101 Newell was allowed to become rezoned to commercial a large 5-story building that would be "looming over the single family homes". She stated that although the redevelopment of Samish Way is welcome and supported, she would like to see some additional comments taken into consideration.	<b>C – See 3A and 26 above.</b> Single-family residences would still be permitted in the proposed RT area. The additional uses are low intensity and do not provide an economic impetus to demolish existing single-family residences.  <b>See 10C above regarding 1101 Newell Street</b>	<b>C – See 3A above.</b> York Area 5 has been removed from the urban village boundary.
28	Public Hearing 6/18/09	Lisa Anderson	She encouraged the transitional area, because she feels it is important; however, she would like her home to remain in a single-family zone.	<b>C – See 3A and 26 above</b>	<b>C – See 3A above.</b>
29A	6/19/09	Drew Weidenbacher	He expressed his support for the City to rezone his property. He pointed out that his "property is so small and so legally bound to Rick's Master Lube" that the only thing that makes sense is to include his property in the proposed rezone.	<b>NC – See 10C above</b>	<b>NC</b>
29B	6/19/09	Drew Weidenbacher	He expressed 4 issues that he would like addressed: 1. What is the maximum impact of his property. 2. The reasons that the York NA is opposed to the rezone of his property (in more	<b>NC – See 10C above</b>	<b>NC</b>

			<p>detail).</p> <p>3. How his binding agreements with Master Lube could hinder development if severed.</p> <p>4. He pointed out that there is already infrastructure that separates the Newell / Edwards block from the remaining York Neighborhood. He stated that since he shares an easement with a Commercially-zoned property, it does not make sense to keep his property residential.</p>		
30A	6/24/09	Mike and Karen Reed	They expressed their support for the plan; as well as a few concerns. They encouraged staff to consider height limits, parking, and trash/recycling storage for those multi-family areas that will be developed across from single-family residences.	<p><b>C – See 3A and 26 above</b></p> <p>The proposed Design Regulations require shielding of trash facilities.</p>	<b>C – See 3A above</b>
30B	6/24/09	Mike and Karen Reed	They also suggested planning for parking that will happen in the alley between Otis and Newell streets.	<p><b>NC</b> - The addition of on-street parking is intended to support the reduced parking requirements, and Page 22 of the Subarea Plan recommends extension of a Residential Parking Zone (RPZ) if overflow into established neighborhoods becomes a problem. Alleys would be required to be maintained per existing requirements.</p>	<b>NC</b>
30C	6/24/09	Mike and Karen Reed	They would like to see “every possible effort be made to preserve the trees in and around the edge of the planned urban village.”	<p><b>NC</b> - Staff agrees that preservation of existing vegetation should be a goal of the plan. References to this occur on Page 17 (encouraging a tree preservation plan) Page 29 (34<sup>th</sup> Street) Page 32 (existing City right-of-way use), and Page 37 (underground utilities).</p>	<b>NC</b>
31	7/01/09	Jeff Kenoyer	He submitted his project design and commented that although they are shown as 5,000 sq. ft. lots, “if smaller lots were approved thru the proposed toolkit for smaller homes,	<b>C – See 3A, 4C and 15A above</b>	<b>C – See 3A and 15A above</b>

			that might (would) work also". He stated that in order to make 35 <sup>th</sup> street into an access road, the adjoining property owner would need to develop his site and install his portion of the road. He pointed out that after speaking with transportation staff, it has been determined that the "proposed project would have minimal traffic impact and make a good access". He expressed his concern over the 25 foot height limit on 34 <sup>th</sup> street, and mentioned that "smaller lots of 50 ft wide or less with steep lots need a 2 story design house".		
32	07/07/09	Helen Jackson	She provided the Commission with a "draft document that will be presented and discussed at the York Neighborhood Association Board meeting on July 15, 2009".	<b>C – See 3A, 10C, and 26 above</b>	<b>C – See 3A above</b>
33	Per Request	John Canterbury	Submitted signage examples as requested by the Planning Commission on June 18, 2009.	<b>NC</b>	<b>NC</b>
34	07/06/09	Anonymous	<p>This letter expresses the support of staff's recommendation to rezone the parcels of land between Newell Street and Edwards Street. The author states that this triangular block is "very attractively located and would be an asset to the community if developed properly". The letter discusses 3 likely outcomes:</p> <ol style="list-style-type: none"> <li>1. <b>Both parcels are left zoned as-is</b>, which would have no positive effect on the surrounding community since it "would not facilitate, encourage, or enable urban redevelopment".</li> <li>2. <b>Master Lube will be up-zoned and 1101 Newell would remain single-family</b>, which would have a negative impact on all parties. The land use pattern in this block is already "ineffective, confusing, and clumsy".</li> </ol> <p>The author stated that any commercial development on the Master Lube property would not only dramatically affect the home at</p>	<b>NC – See 10C above</b>	<b>NC</b>



			<p>1101 Newell, but could ultimately be discouraged based on the easement between these two neighbors if they were zoned differently. The letter cautions that by not rezoning 1101 Newell, the City could be “creating a spot zone, which is an inappropriate act and discouraged by the GMA”.</p> <p>3. <b>Both parcels could be up-zoned as recommended by staff</b>, which would be the best solution as it would “yield the highest attractiveness to development and mitigate any discrepancies between parties by the easement in place”.</p> <p>The author reiterates the fact that 1101 Newell is a small parcel and would probably not be included in any larger development projects. The letter points out that the homes on Franklin do not face any future projects on this block; therefore, any impact to these neighbors would be marginal.</p>		
35	07/07/09	Jeff Kenoyer	<p>He provided comments on the triangular block between Edwards Street and Newell Street which include the properties at 1101 Newell Street and Master Lube. He stated that, as a developer, “there would be more interest in developing the commercially zoned Master Lube property knowing that the adjoining property is zoned the same way”. He stated that, in his opinion, the property at 1101 Newell should be part of the same commercial zone as Master Lube, as it would not make any difference if used as a buffer.</p>	<b>NC – See 10C above</b>	<b>NC</b>
36	7/08/09	Drew Weidenbacher	<p>He commented on the sewer issue that encompasses his property at 1101 Newell Street as well as several others. He stated that the City installed a new sewer line on the North side of Edwards 2-3 years ago, but did not replace the line on the South side of Edwards. He expressed his frustration because he has sewage back up into his basement at least</p>	<b>NC</b>	

			once every 2 years, and since the re-pavement of Edwards he also has to deal with water run-off into his basement. He is requesting quality sewer lines for the he and his neighbors to minimize the amount of money they need to spend every year on maintenance.		
37	7/08/09	Phillip Serka	<p>On behalf of his client, submitted responses to staff's recommended changes.</p> <ol style="list-style-type: none"> <li>1. He recommended that the Planning Commission <b>adopt staff's recommendation</b> to "remove the proposed east/west connection from Samish Way to the proposed 35<sup>th</sup> Street extension".</li> <li>2. He recommended that the Planning Commission <b>adopt staff's recommendation</b> to allow existing drive thru facilities as permitted uses in the Core Commercial designation.</li> <li>3. He expressed some continued concerns on the proposed 35<sup>th</sup> Street extension and requests that the Planning Commission <b>not make a decision</b> until "all parties agree on a definition of redevelopment and on a proposed triggering mechanism for development that would require dedication and construction".</li> <li>4. He requested that the existing drive thru facilities not be held to the same signage requirements as what is being proposed for the Core Commercial Zone.</li> </ol>	<b>C – See 14 and 15A above</b>	<b>C – See 15A above</b>
38	07/08/09	Scot Swanson	He submitted written comments that outlined what he spoke about during the public hearing.	<b>C – See 14 and 15A above</b>	<b>C – See 15A above</b>