

**CITY OF MILL CREEK
PLANNING COMMISSION MEETING MINUTES
June 20, 2019**

Draft

I. CALL TO ORDER:

Chair Eisner called the meeting to order at 7:02 p.m.

II. ROLL CALL:

Chair Stan Eisner
Vice Chair Matthew Nolan
Commissioner April Berg
Commissioner Brian Hyatt (absent)
Commissioner Daniel Mills
Commissioner Nicolas Marin
Commissioner Dennis Teschlog

Staff:
Tom Rogers, Development Services Manager
Christi Schmidt, Senior Planner
Sherrie Ringstad, Associate Planner

III. APPROVAL OF MINUTES

Planning Commission Meeting of June 20, 2019

MOTION: Commissioner Teschlog moved, seconded by Commission Mills, to approve the April 18, 2019 minutes as presented. The motion was approved unanimously.

IV. WORK SESSION

Potential Code Amendments

Planning and Development Services Manager Tom Rogers stated that the purpose of the work session is to discuss potential changes to the Business and Industrial Park (BP) zone district. He noted that most of the land left for development in the City is located in the BP zone district along the Bothell-Everett Highway and 9th Avenue Southeast, and most parcels have environmental challenges. The City has received requests from developers/property owners interested in locating a restaurant in the BP zone. Currently the Code restricts restaurant use to a small portion of another building (15%, with a maximum of 3,000 square feet) and it is intended to primarily serve the uses in the BP zone. A standalone restaurant would not be allowed under the current Code.

On a side note, Mr. Rogers advised the Commission that the City has recently began a study of the Mill Creek Boulevard Subarea that will involve a more thorough analysis of the uses allowed in the subarea, which includes both Community Business (CB) and BP zoned properties.

As background, Mr. Rogers provided a brief comparison between BP and CB zone districts. He read an excerpt from the Comprehensive Plan regarding the rationale behind the CB zone district as follows:

“The rationale pertaining to the community business land use designation is to provide appropriate land areas that provide economic stability for the City through jobs and tax base. The designation intends to provide an appropriate amount of commercial land that is properly sited to take advantage of a safe and efficient transportation network and transit facilities, provides a broad range of goods and services and is compatible with surrounding land use designations and environmentally sensitive areas. The zone also allows for limited multifamily residential as a secondary use.”

He read an excerpt from the Comprehensive Plan regarding the rationale behind the BP zone district as follows:

“Manufacturing, assembly, distribution, health services and facilities and wholesale/office activities assume a role in the City's economy by providing jobs and adding to the tax base. To support these types of land uses in the local economy it is necessary to provide for the appropriate amount of land.

The major form of business park land uses should occur in campus style development and on large tracts of land that are planned, developed and operated as integrated facilities. Special attention shall be given to circulation, transit access, parking, utility needs, aesthetics and compatibility between uses both within the business park and with surrounding uses.

The underlying rationale for the business park designation is to provide an appropriate supply of land for a variety of light industrial and office uses that may depend upon close proximity to other industries and are dependent on an urban labor supply. Through the conditional use process, hospitals, health care facilities, retirement and nursing homes, as well as congregate care facilities may be permitted in the business park land use designations as well. In addition, the designation should promote efficient public and private utility and transportation expenditures, and promote compatibility with surrounding non-industrial land uses and environmentally sensitive areas.”

In the Development Code, the purpose of the CB Zone is described as:

“The purpose of this district is to implement the community business land use designation of the comprehensive plan by locating commercial businesses and higher density residential uses near activity areas, pedestrian accesses, and major transportation arterials. Uses permitted within this district are intended to provide a broad range of goods and services to the surrounding community.”

In the Development Code, the purpose of the BP Zone is described as:

“The primary purpose of the business park (BP) zone classification is to implement the business park comprehensive plan designation. The intent of the business park zoning district is to provide suitable areas for commercial development where the primary land uses are manufacturing, product assembly,

wholesale sales and professional and business office development. Other uses may include health care facilities and public facilities and utilities. This district is not intended for the development of retail sales and services; however, limited retail sales and services may be allowed to serve the needs of the business park tenants and users.”

Uses allowed in the CB zone are:

- A. Retail and wholesale sales;
- B. Professional services;
- C. Personal services, including self-service;
- D. Offices;
- E. Health care, excluding overnight accommodations;
- F. Restaurants and taverns;
- G. Commercial recreation facilities;
- H. Hotels and motels;
- I. Accessory structures and uses;
- J. Parking facilities;
- K. Banks and similar uses;
- L. Veterinary clinics and indoor animal boarding; and
- M. Commercial day care centers

Uses allowed in the BP zone are:

- A. Offices, including but not limited to government, research and development, trade schools and professional services;
- B. Wholesale sales;
- C. Warehousing;
- D. Manufacturing;
- E. Financial institutions;
- F. Commercial day care centers;
- G. Health clubs;
- H. Retail sales and services primarily intended to serve the principal BP zone uses. Such uses shall occupy no more than 15 percent of the constructed floor area of individual buildings. In addition to the limitation on floor area, restaurants, delis and other eating establishments are restricted to a maximum floor area of 3,000 square feet;
- I. Mini-storage facilities; and
- J. Outdoor storage and display.

To provide additional background for the Commission’s discussion, Mr. Rogers gave the square footage of some of the existing standalone restaurants in the City as follows:

Boston Pizza	6,332 square feet
China City	5,428 square feet
La Palmera	6,692 square feet
Saw Mill Café	3,208 square feet

Finally, before turning the discussion over to the Commission, Mr. Rogers posed the following discussion questions:

1. Is a standalone restaurant consistent with the Comprehensive Plan and or BP zoning purpose statement?
2. Would a standalone restaurant use be appropriate in the BP zone district? Or is it considered strip commercial?
3. Should more intense land uses be centralized or decentralized in the City?

Chair Eisner asked Mr. Rogers to address the topography on the properties and the degree the parcels are impacted by wetlands as well as how those properties because of their size and usability lend themselves to uses related to parking.

Mr. Rogers explained that uses currently allowed in the BP zone typically require less parking than a retail or restaurant. In general, the properties are flat adjacent to the highway, then drop off fairly quickly to the wetland. The properties on 9th Avenue have more limitations as far as what is developable. He noted that there is a reasons these properties are not yet developed – they definitely have some challenges.

Several Commissioners wondered if you could not approve future requests for mini-storage because we already have enough, or if we could remove them from the allowed uses.

Mr. Rogers explained that if mini-storage remains an allowed use, we couldn't prohibit it and if we remove mini-storage from the allowed uses, it makes all of the existing mini-storage businesses non-conforming, which creates its own set of problems.

Mr. Rogers stated that if the City wants to allow restaurants in the BP zone, the City would have to change language in the Comprehensive Plan and Mill Creek Municipal Code.

In response to a Commission question, Mr. Rogers explained that any changes would apply citywide, even in the case of a redevelopment, not just undeveloped properties. He confirmed that restaurants would include fast food restaurants as well.

Commissioner Mills said there is a reason why like businesses locate in close proximity – people like to have choices and he wondered whether a standalone restaurant would thrive. Or, maybe we could attract multiple restaurants.

Vice Chair Nolan said that his first priority would be to the existing businesses in the City and he would want to make sure they are thriving before we look at adding restaurants in another area. He expressed the opinion that we may be considering this Code change prematurely, in light of the ongoing Mill Creek Boulevard subarea study.

Commissioner Mills stated that while it is important to focus on the Mill Creek Boulevard subarea study, it is also important to keep in mind that any changes resulting from the study could well be decades down the road. Whereas what is happening on the Bothell-Everett Highway could be happening in just a couple of years.

Commissioner Teschlog said that he is in favor of pursuing allowing standalone restaurants in the BP zone and doesn't feel we need to wait. Commissioner Berg pointed out that if we

do wait, it might be a missed opportunity. She would prefer that we pursue it sooner rather than later.

It was the consensus of the Commission to direct staff to evaluate the potential amendments now and to bring back to the Commission the following information:

- More in depth information on the vacant parcels left in the City such as size, constraints, development potential, etc.
- Information on what other BP properties might be effected, such as properties that would be a candidate for redevelopment.
- Information on the process and timing of Comprehensive Plan/Zoning Code amendments.

VI. FOR THE GOOD OF THE ORDER

Mr. Rogers noted that the Planning Advisory Committee (PAC) for the Mill Creek Boulevard Subarea Plan had their kick-off meeting earlier this week and asked the Commission representatives if they wanted to make any remarks.

Vice Chair Nolan, Commissioner Teschlog, and Commissioner Mills, the Commission representatives to the PAC, agreed that it was a very successful meeting. It was nice to see so many groups represented on the PAC such as the property owners, business owners, Board representatives, and the City Council. A successful plan will be one that works for both the community and the businesses. All representatives gave Otak, the consultant and project manager, high praise for their expertise and coordination of the meeting. They felt a lot of feedback was gained in a very efficient manner.

VII. ADJOURNMENT

Chair Eisner adjourned the meeting with the consensus of the Commission at 8:12 p.m.

Submitted by:

Sherrie Ringstad, Associate Planner