



Planning Commission Report

To: City Council

From: Planning Commission

Staff Contacts: Robert G. Odle, Director, Planning and Community Development, 425-556-2417

Lori Peckol, AICP, Policy Planning Manager, 425-556-2411

Sarah Stiteler, AICP, Senior Planner, 425-556-2469

Date: July 18, 2013

File Number: LAND-2013-00885, SEPA-2013-00886

Title: Amendment to allow drive-through facilities for health and personal care retail uses in the General Commercial (GC) zone.

**Planning
Commission
Recommendation:** Approval

**Recommended
Action:** Adopt amendments to the Redmond Zoning Code as shown in *Attachment A*.

Summary: This proposal will allow health and personal care retail uses (e.g. drug stores) to have drive-through facilities within all General Commercial zones in the City.

Reasons the Proposal should be Adopted:

The recommended amendments should be adopted because:

- Drive-through facilities are allowed with other uses in the General Commercial (GC) zone, including banking services and the purchase of food
- Expanding the allowance for drive-through facilities in the GC zone is consistent with the purpose of the GC zone, and
- Drive-through purchase of health and personal care items may provide convenience to those with mobility issues in obtaining items such as prescription drugs and refills.

Recommended Findings of Fact

1. Public Hearing and Notice

a. Public Hearing Date

The Planning Commission held a public hearing on July 17, 2013. Stuart Anderson, who owns property located at 17950 Redmond Way had initially requested an amendment to allow a drive-through facility for drug stores on his property which is zoned General Commercial (GC). The Technical Committee recommended that the amendment regarding drive-through facilities for health and personal care retail uses, which includes drug stores, apply to all General Commercial zones in the City.

At the public hearing, Mr. Stuart testified that he would like to have the flexibility of allowing drug stores with a drive-through for future businesses interested in his property. He noted that other businesses in General Commercial zones could have drive-through facilities, such as a McDonald’s restaurant. Mr. Anderson stated that he believed the possible impacts of a drug store with a drive-through would be substantially less than that of a drive-through for a fast-food type of use.

Larry Calvin, of Northwest Development Advisors, LLC, represents Mr. Anderson and stated that he supported the Technical Committee’s recommendation to allow drive-through facilities for drug stores in all GC zones. He further stated that he believed that permitting drive-through facilities for drug stores is consistent with the City’s intent for General Commercial areas and is a detail that could have been overlooked in the most recent update of the Redmond Zoning Code.

Dorothy Brown, 6308 East Lake Sammamish Parkway NE, Apt. 112 Redmond, stated that she is a resident in the vicinity of Mr. Anderson’s

property and is opposed to additional traffic and congestion at the intersection of Redmond Way and East Lake Sammamish Parkway. She expressed concern that an additional business with a drive-through facility could make traffic worse.

b. Notice

The public hearing was published in the Seattle Times. Public notices were posted in City Hall and at the Redmond Library. Letters and notice were sent to all property owners and businesses within all General Commercial areas in the City. Notice was also provided by including the hearing in Planning Commission agendas and extended agendas that are distributed to various members of the public and various agencies, and posted on the City's web site.

Recommended Conclusions

1. Key Issues Discussed by the Planning Commission

The Commission supports the proposal as it is consistent with the purpose of the General Commercial (GC) zone and allowed GC land uses. The Commission discussed whether allowing additional drive-through facilities was contrary to the City's goal of increased walkability. They determined that the General Commercial zone's purpose statement speaks to the vehicle orientation of the zone, with uses that tend to attract vehicle trips from locations beyond surrounding neighborhoods and that GC zones are not located near urban centers. They noted also that the purchase and refill of prescription drugs from drive-through facilities is an aid to those with mobility challenges.

The Commission did not identify any topics for an issues matrix for this code amendment.

2. Recommended Conclusions of the Technical Committee

The recommended conclusions in the Technical Committee Report (*Attachment B*) should be adopted as conclusions.

3. Planning Commission Recommendation

The Commission approved a motion to recommend approval of the proposed Zoning Code Amendment by a vote of 5-0 at its July 17, 2013, meeting.

List of Attachments

Attachment A: Recommended Amendments to Redmond Zoning Code

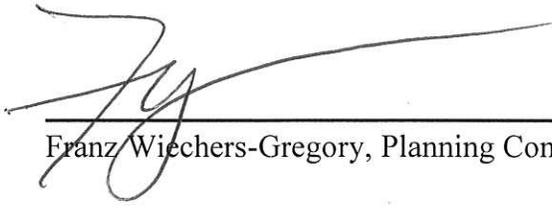
Attachment B: Technical Committee Report with Exhibits

Attachment C: Approved Minutes for July 17, 2013



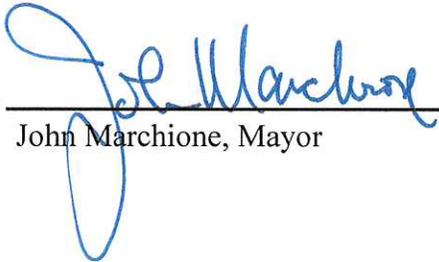
Robert G. Odle, Planning Director

8/6/2013
Date



Franz Wiechers-Gregory, Planning Commission Chairperson

8/14/2013
Date

Approved for Council Agenda 

John Marchione, Mayor

8/15/13
Date

| | | | | | |
|----|---|---------|---------------|------------------------------|---|
| 9 | Health and personal care | 4, 3 | 0.55, 0.70 | 1,000 sq ft gfa (4.0, 5.0) | <p style="text-align: center;"> COPY HERE.</p> <ol style="list-style-type: none"> 1. Drive-through facilities permitted. 2. Adequate vehicle queuing space shall be provided outside the public right-of-way, on-site vehicular circulation aisles, and the area between the building and the street. 3. Type II landscaping shall screen drive-through lanes. |
| 10 | Finance and insurance | | | | |
| 11 | Real estate services | | | | |
| 12 | Professional services | | | | |
| 13 | Administrative services | | | | |
| 14 | Full-service restaurant | | | 1,000 sq ft gfa (9.0, 9.0) | <ol style="list-style-type: none"> 1. Drive-through facilities permitted. 2. Adequate vehicle queuing space shall be provided outside the public right-of-way, on-site vehicular circulation aisles, and the area between the building and the street. 3. Type II landscaping shall screen drive-through lanes. |
| 15 | Cafeteria or limited service restaurant | | | 1,000 sq ft gfa (10.0, 10.0) | |
| 16 | Bar or drinking place | | | | |

Excerpt from General Commercial (GC) zone



**TECHNICAL COMMITTEE REPORT
TO THE PLANNING COMMISSION**

To: Planning Commission

From: Technical Committee

Staff Contacts: Robert G. Odle, Planning Director
425-556-2417

Lori Peckol, AICP, Policy Planning Manager
425-556-2411

Sarah Stiteler, AICP, Senior Planner
425-556-2469

Date: June 26, 2013

Project File Number: LAND-2013-00885

Project Name: Amendment to allow drive-through facilities for health and personal care retail uses in the General Commercial (GC) zone.

Related File Numbers: PR-2013-00259
SEPA-2013-00886

Applicant: Stuart Anderson
Super Rent, Inc.
7683 SE 27th Street, Suite 364
Mercer Island, WA 98040

Applicant's Representative: Larry Calvin
Northwest Development Advisors, LLC

Reason for Proposal Adoption: Applicant is requesting ability to locate a drug store with a drive-through facility on his property which is zoned General Commercial (GC). Staff proposes that the amendment apply to all General Commercial zones in the City.

I. APPLICANT PROPOSAL

BACKGROUND AND REASON FOR PROPOSAL:

The proposed amendment is to allow drive-through facilities for health and personal care retail uses (e.g. drug stores) to locate in the General Commercial (GC) zone. Currently, banking and the purchase of food is allowed by drive-through in the GC zone. Drive-through purchase of goods and services, including health and personal care attached to drug stores is also currently allowed in several zones within Downtown.

The purpose of the General Commercial zone as stated in the Redmond Zoning Code "...is to provide for retail and service businesses that serve community needs and are better suited for locations outside of the Downtown, Overlake or Neighborhood Commercial zones. These uses are more land intensive, [and] serve travelers..." The drive-through purchase of goods from health and personal care retail uses is consistent with the purpose statement for the General Commercial zone and similar to other drive-through sales allowed within GC.

II. RECOMMENDATION

The proposed amendment to permit drive-through purchase of goods from health and personal care retail uses in the GC zone is recommended for approval.

III. PRIMARY ISSUES CONSIDERED

A. ISSUES CONSIDERED AND ALTERNATIVES

Primary Issues Considered: Drive-throughs are allowed with other uses in the General Commercial zone including banking services and the purchase of food. Expanding the allowance for drive-through facilities is consistent with the purpose of the General Commercial zone. Drive-throughs in the General Commercial zone require landscaping that provides a visual screen and adequate vehicle queuing space outside the public right of way, on-site vehicular circulation aisles and the area between the building and the street.

Alternatives: The "no-action" alternative of not allowing drive-through facilities for health and personal care retail uses (drug stores) could be considered. Drive-through purchase of health and personal care items may provide convenience to those with mobility issues in obtaining prescription drugs and refills, for example. If no action is taken, the purchase of these items may remain difficult for persons with mobility challenges.

**B. COMPARISON WITH OTHER COMMUNITIES, APPROACHES
(as applicable)**

In the City of Bellevue, drug stores are allowed in commercial areas similar to the General Commercial zone. Drive-through facilities for drug stores are not prohibited in these areas. In the City of Kirkland, drive-through drug stores are allowed within commercial areas that are consistent with Redmond's General Commercial zone.

IV. SUPPORTING ANALYSIS

A. EXISTING CONDITIONS

The General Commercial (GC) zone represents a combined total area of 40 acres, compared to the total acreage in the City of 10,150 acres. The areas zoned GC are located primarily in Southeast Redmond, along Redmond Way which is a major arterial. Addition of the drive-through capability for health and personal care uses is consistent with the auto-orientation of the General Commercial zone. Health and personal care services are defined in the Redmond Zoning Code as "the retail sale of health and personal care items, such as prescription and nonprescription drugs, cosmetic and beauty supplies, prescription and nonprescription eyeglasses, and other similar items." Other retail services that are allowed to have drive-throughs in the General Commercial zone are finance services (e.g., banking) and the purchase of food and beverages. The standards for these uses are defined in RZC 21.14.020B and include requirements for the provision of adequate vehicle queuing space outside the public right of way and landscaping that provides a visual screen for the drive-through lanes from adjacent uses.

B. COMPLIANCE WITH CRITERIA FOR PLAN AMENDMENTS

Redmond Comprehensive Plan Policies PI-16 and LU-26 direct the City to take several considerations, as applicable, into account as part of decisions on proposed amendments to the Comprehensive Plan.

Items 1 through 6 apply to all proposed amendments. Items 7 through 9 apply when proposed amendments concern allowed land uses or densities, such as proposed amendments to the Land Use Plan Map, land use designations, allowed land uses, or zoning map.

The following is an analysis of how this proposal complies with the requirements for amendments.

**1. Consistency with Growth Management Act (GMA), State of
Washington Department of Commerce Procedural Criteria, VISION**

2040 or its successor, and the King County Countywide Planning Policies.

The proposal to allow the drive-through purchase of goods from health and personal care retail establishments such as drug stores is consistent with state and regional goals and policies that support economic goals. The King County Countywide Planning Policies state that a strong and healthy economy results in business development, job creation, and investment in our communities. The Economy Chapter of the KCCPP's reflects and supports the Regional Economic Strategy and VISION 2040's economic policies, which emphasize the economic value of business, people, and place.

2. Consistency with Redmond's Comprehensive Plan, including the following sections as applicable:

a. Consistency with the goals contained in the Goals, Vision and Framework Policy Element.

One of the eight goals for Redmond contained in the Goals, Vision and Framework Policy Element is "To emphasize choices and equitable access in housing, transportation, stores and services." In addition, the proposed amendment will support the goal "To maintain a strong and diverse economy and to provide a business climate that retains and attracts locally owned companies, as well as internationally recognized corporations."

b. Consistency with the preferred land use pattern as described in the Land Use Element.

Policy LU-47 identifies the purpose of the General Commercial designation as "...provide[ing] for the retail and service businesses that serve community needs and are better suited for locations outside the Urban Centers or Neighborhood Commercial zones. Examples of these businesses include...uses that are land extensive, uses that tend to attract vehicle trips from locations beyond surrounding neighborhoods and activities that involve wholesale commercial uses." The proposed amendment to allow drive-through sales at drug stores is consistent with the vehicular orientation of the General Commercial land use designation, and to some extent, by providing retail services that tend to attract vehicle trips from locations beyond surrounding neighborhoods.

c. Consistency with Redmond's community character objectives as described in the Community Character/Historic Preservation Element or elsewhere in the Comprehensive Plan.

Policy CC-18 speaks to the use of design standards and design review to accomplish a variety of design goals. Any new commercial

development will require review by the Design Review Board. In addition, the City's Zoning Code includes standards for drive through facilities such as requiring landscaping that provides a visual screen to avoid impacts.

d. Consistency with other sections as applicable.

Policy EV-3 in the Economic Vitality Element states: "Provide a mix of uses in a range of zones that allow for the daily needs of residents to be met within Redmond and support the expansion of existing Redmond businesses and the attraction of regional, national and international businesses." The proposed amendment is consistent with this policy.

3. Potential general impacts to the natural environment, such as impacts to critical areas and other natural resources, including whether development will be directed away from environmentally critical areas and other natural resources.

The proposed amendment will not create additional general impacts to the natural environment, and with new development, potential impacts to the natural environment will be assessed on a site specific basis. In any development, the addition of a drive-through facility would be directed away from environmentally critical areas and other natural resources.

4. Potential general impacts to the capacity of public facilities and services. For land use related amendments, whether public facilities and services can be provided cost-effectively and adequately at the proposed density/intensity.

The potential impacts to public facilities as a result of the proposed amendment would be negligible. The Redmond Zoning Code provides standards for drive-through facilities allowed currently in the General Commercial zone, including adequate vehicle queuing space and landscaping that provides a visual screen from adjacent uses.

5. Potential general economic impacts, such as impacts for business, residents, property owners, or City Government.

The proposed amendment will provide greater accessibility for the purchase of goods and prescription drugs from drug stores. Drive-through sales will provide additional convenience to residents who are customers, especially those with limited mobility. Other impacts to residents would be negligible, as would be impacts to City Government.

6. For issues that have been considered within the last four annual updates, whether there has been a change in circumstances that

makes the proposed amendment appropriate or whether the amendment is needed to remedy a mistake.

The amendment has not been considered within the last four annual updates. The change in circumstances is that drive-through facilities for drug stores is a fairly new phenomenon and has previously not been considered for General Commercial zones.

The following items apply when proposed amendments concern allowed land uses or densities, such as proposed amendments to the Land Use Plan Map, land use designations, allowed land uses, or zoning map.

7. General suitability of the area for the proposed land use or density, taking into account considerations such as adjacent land uses and the surrounding development pattern, and the zoning standards under the potential zoning classifications.

The proposed amendment is consistent with other drive-through uses allowed in the General Commercial zone. As such, the proposed addition of health and personal care retail uses to those that allow drive-throughs in the General Commercial zone is compatible with the purpose of the zone.

8. Whether the proposed land use designation, zoning, or uses are compatible with nearby land use designations, zoning or uses. Whether there are opportunities to achieve compatibility with surrounding land uses through design or through separation by topography or buffers.

The proposed amendment to allow drive-through facilities for health and personal care retail is consistent with other uses allowed within the General Commercial zone. As such, it would be compatible with uses adjacent to the GC zone. Standards for drive-through retail uses are defined in the Redmond Zoning Code (RZC) for those uses currently allowed, including banking and the purchase of food. These requirements include the provision of *adequate* vehicle queuing space to be provided outside the public right of way, on-site vehicular circulation aisles and the area between the building and the street. “Adequate” is defined in the RZC as “...able to serve peak demand without overflowing onto public sidewalks or streets as determined by a professional traffic engineer and approved by the City. In addition, Type II landscaping is required, the goal of which is to provide a visual screen that is 75% sight obscuring, and consists of a minimum of 60% evergreen trees and evergreen shrubs.

9. If the amendment proposes a change in allowed uses or densities in an area:

a. The need and demand for the land uses that would be allowed and whether the change would result in the loss of capacity to

accommodate other needed land uses, especially whether the proposed amendment complies with policy HO-17, the City's policy of no net loss of housing capacity;

Currently, there is no provision for the purchase of health and personal care in a drive-through facility within the General Commercial zone. Other retail services can be obtained by drive-through in the GC zone, such as banking or the purchase of food. Allowing the purchase of goods in GC by drive-through facilities attached to health and personal care retail uses (drug stores, for example), will fulfill a need that is now permitted in several downtown zones. The proposed amendment will not result in the loss of capacity to accommodate other needed land uses, including housing.

b. Implications of the proposed amendment for the balance between the amount and type of employment in Redmond and the amount and type of housing in Redmond.

The proposed amendment will not have an effect on the balance between the amount and type of employment in Redmond and the amount and type of housing in Redmond.

B. COMPLIANCE WITH CRITERIA FOR CODE TEXT AMENDMENTS

RZC 21.76.070.AE provides that all amendments to the Redmond Zoning Code must be consistent with the Redmond Comprehensive Plan. The following is an analysis of how this proposal complies with the requirements for code text amendments.

Consistency with the Redmond Comprehensive Plan

Policy LU-47 identifies the purpose of the General Commercial designation as "...provide(ing) for the retail and service businesses that serve community needs and are better suited for locations outside the Urban Centers or Neighborhood Commercial zones. Examples of these businesses include...uses that are land extensive, uses that tend to attract vehicle trips from locations beyond surrounding neighborhoods and activities that involve wholesale commercial uses." The proposed amendment to allow drive-through sales for health and personal care uses within the General Commercial zone is consistent with the vehicular orientation of the General Commercial land use designation, and to some extent, providing retail services that tend to attract vehicle trips from locations beyond surrounding neighborhoods.

C. RELATIONSHIP TO PENDING AMENDMENTS IN THE 2012-2013 COMPREHENSIVE PLAN AMENDMENT PACKAGE

The proposed amendment is consistent with Comprehensive Plan policy and would only change text in the Redmond Zoning Code, thus would not affect amendments in the 2012-2013 Comprehensive Plan Amendment Package.

V. AUTHORITY AND ENVIRONMENTAL, PUBLIC AND AGENCY REVIEW

A. AMENDMENT PROCESS

RZC 21.76.070.J, 21.76.070.AE and 21.76.050.K require that amendments to the Comprehensive Plan or Zoning Code (except zoning map amendments consistent with the Comprehensive Plan) be reviewed under the Type VI process. Under this process, the Planning Commission conducts a study session(s), an open record hearing(s) on the proposed amendment, and makes a recommendation to the City Council. The City Council is the decision-making body for this process.

B. SUBJECT MATTER JURISDICTION

The Redmond Planning Commission and the Redmond City Council have subject matter jurisdiction to hear and decide whether to adopt the proposed amendment.

C. WASHINGTON STATE ENVIRONMENTAL POLICY ACT (SEPA)

A Determination of Non-Significance and SEPA Checklist were issued for this non-project action on June 7, 2013.

D. 60-DAY STATE AGENCY REVIEW

State agencies were sent 60-day notice of this proposed amendment on June 17, 2013.

E. PUBLIC INVOLVEMENT

The public has opportunities to comment on the proposed amendment through the Planning Commission review process and public hearing.

In addition, notice of the proposed amendment was sent to all property owners and tenants of properties in the General Commercial (GC) zone.

F. APPEALS

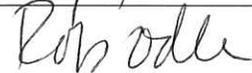
RZC 21.76.070.J and 21.76.070.AE identify Comprehensive Plan and Zoning Code Amendments as Type VI permits. Final action is held by the City Council. The action of the City Council on a Type VI proposal may be appealed by filing a petition with the Growth Management Hearing Board pursuant to the requirements.

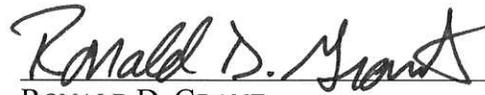
VI. LIST OF EXHIBITS

- Exhibit A: Recommended Amendment
- Exhibit B: SEPA Threshold Determination

Conclusion in Support of Recommendation: The Technical Committee has found the proposal to be in compliance with the Redmond Zoning Code, Redmond Comprehensive Plan, Redmond Municipal Code, and State Environmental Policy Act (SEPA).



ROBERT G. ODLE, 
Planning Director
Planning and Community Development
Department



RONALD D. GRANT,
Assistant Director of Public Works
Public Works Department

| | | | | | |
|----|---|---|------|------------------------------|---|
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| 16 | Bar or drinking place | | | | |

Excerpt from General Commercial (GC) zone



STATE ENVIRONMENTAL POLICY ACT (SEPA) DETERMINATION OF NON-SIGNIFICANCE

For more information about this project visit www.redmond.gov/landuseapps

PROJECT INFORMATION

PROJECT NAME: RZC Text Amendment: Drive-throughs
in GC

SEPA FILE NUMBER: SEPA-2013-00886

PROJECT DESCRIPTION:

Amendment to General Commercial Zoning text to permit drive-through facilities for drugstores (health and personal care) in the General Commercial Zone.

PROJECT LOCATION: Citywide

SITE ADDRESS: 15670 NE 85th Street Redmond, WA

APPLICANT: Stuart Anderson

LEAD AGENCY: City of Redmond

The lead agency for this proposal has determined that the requirements of environmental analysis, protection, and mitigation measures have been adequately addressed through the City's regulations and Comprehensive Plan together with applicable State and Federal laws.

Additionally, the lead agency has determined that the proposal does not have a probable significant adverse impact on the environment as described under SEPA.

An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. **This information is available to the public on request.**

CITY CONTACT INFORMATION

PROJECT PLANNER NAME: Sarah Stiteler

PHONE: (425) 556 2469

EMAIL: sstiteler@redmond.gov

IMPORTANT DATES

COMMENT PERIOD: Depending upon the proposal, a comment period may not be required. An "**X**" is placed next to the applicable comment period provision.

There is no comment period for this DNS. Please see below for appeal provisions.

X This DNS is issued under WAC 197-11-340(2), and the lead agency will not make a decision on this proposal for 14 days from the date below. Comments can be submitted to the Project Planner, via phone, fax (425)556-2400, email or in person at the Development Services Center located at 15670 NE 85th Street, Redmond, WA 98052. **Comments must be submitted by June 21, 2013 .**

APPEAL PERIOD

You may appeal this determination to the City of Redmond Planning Department, Redmond City Hall, 15670 NE 85th Street, P.O. Box 97010, Redmond, WA 98073-9710 **no later than 5:00 p.m. on July 8, 2013**, by submitting a completed City of Redmond Appeal Application Form available on the

City's website at www.redmond.gov or at City Hall. You should be prepared to make specific factual objections.

DATE OF DNS ISSUANCE: June 7, 2013

For more information about the project or SEPA procedures, please contact the project planner.

RESPONSIBLE OFFICIAL: ROBERT G. ODLE
PLANNING DIRECTOR

SIGNATURE: _____

Robert G. Odle

RESPONSIBLE OFFICIAL: RONALD D. GRANT
ASSISTANT PUBLIC
WORKS DIRECTOR

SIGNATURE: _____

Ronald D. Grant

**REDMOND PLANNING COMMISSION
MINUTES**

July 17, 2013

COMMISSIONERS PRESENT: Chairman Franz Wiechers-Gregory, Commissioners O'Hara, Chandorkar, Sanders, and Biethan

COMMISSIONERS EXCUSED: Commissioners Miller, Murray

STAFF PRESENT: Sarah Stiteler, City of Redmond Planning Department

RECORDING SECRETARY: Lady of Letters, Inc.

CALL TO ORDER

The meeting was called to order at 7:00 p.m. by Chairman Gregory in the Council Chambers at City Hall.

APPROVAL OF THE AGENDA:

There were no changes to the agenda.

ITEMS FROM THE AUDIENCE:

There were no items from the audience.

MEETING SUMMARY APPROVAL:

MOTION by Commissioner O'Hara to approve the meeting minutes from the 7/10/2013 meeting. MOTION seconded by Commissioner Chandorkar. MOTION approved unanimously.

PUBLIC HEARING AND STUDY SESSION, Proposed Zoning Code Amendment to expand allowance for drive-through facilities in the General Commercial (GC) zone, presented by Sarah Stiteler, City of Redmond Planning Department.

Chairman Gregory opened the public hearing. Ms. Stiteler noted that this amendment deals with drive-thrus for drug stores in a GC zone. In the Redmond Zoning Code, drugstores are under the health and personal care use, which is within the overall general sales or service category. Health and personal care is defined as the retail sale of health and personal care items such as prescription and non-prescription drugs, and cosmetic beauty supplies, for example. Drive-through facilities are prohibited in all zones unless they are expressly permitted per the land use, per zone. Ms. Stiteler has reviewed the areas in Redmond, Downtown and elsewhere, where drive-thrus are permitted. Primarily, they are not allowed, or allowed with conditions. There are a few zones in Downtown, including Bear Creek, the Trestle zone, and Valley View, where drive-thrus are allowed. Bartell's Drugs, for example, has a store with a drive-through in the Bear Creek zone.

Commissioner Sanders asked about the Fred Meyer store and what zone that was in. Commissioner O'Hara noted that store was in the Gateway Design District zone, which is a separate area not included in Ms. Stiteler's presentation. An application did come in from one private landowner requesting the drive through in the GC zone. The GC zone represents about 40 acres of the City's total of more than 10,000 acres. The GC zones are generally in the southeast part of the City. The GC zone purpose statement is in Land Use Policy 47 in the Comprehensive Plan. The statement says that the GC zone generally provides for the retail and service businesses that serve community needs and are better suited for locations outside of urban centers or neighborhood commercial zones. Some examples of these businesses include uses that are land-extensive uses, which tend to attract vehicle trips from beyond surrounding neighborhoods and activities that involve wholesale commercial uses.

The proposed amendment would be to basically use the conditional language that allows drive-through for the purchase of food as well as banking services. The item states, specifically, that drive-through facilities for drugstores would be permitted, that there would be adequate vehicle queuing, and that Type 2 landscaping would be in place. Adequate queuing space means the ability to serve peak demand without overflowing onto public sidewalks as determined by a professional traffic engineer hired by the proponent or developer and approved by the City. Type 2 landscaping means providing a visual screen from adjacent properties that is 75% site-obscuring, with a minimum of 60% of the vegetation being evergreen trees and shrubs. Regarding the notice given for this, letters about the proposed amendment were sent to all property owners as well as business owners or tenants in the GC and also for the second amendment for the MP zones that the Commission is considering at the hearing.

Chairman Gregory asked if there were any written comments. Ms. Stiteler said there were none. Chairman Gregory opened the hearing for oral comments. The first to speak was Mr. Stuart Anderson from 2417 84th Avenue SE on Mercer Island. He was interested because his family has operated a business in Redmond since the 1960's, and has acquired three lots over time that were shown in the staff presentation. He is now trying to redevelop a former trailer park in Redmond, and took on considerable expense to move people from that spot. During this process, Mr. Anderson became aware that a drugstore with a drive-through was not allowed for future possible tenants of that site. He was confused as to why that prohibition was in place. He has had interest from McDonald's, which has a site on Redmond Way that has a drive-through that sometimes backs up onto the street at prime times of day. For that reason, McDonald's came to Mr. Anderson and inquired about putting another site in Redmond. The former trailer park site, Mr. Anderson says, would allow adequate stacking of cars.

He added that he thought the City has done a good job addressing the stacking issue on drive-thrus, but he was amazed to learn that the City would not allow a drugstore drive-through on his property. He did not believe he had ever seen more than two cars at a drugstore drive-through. Issues such as stacking do not exist, Mr. Anderson says, at a drugstore drive-through. He said the convenience of a drive-through was a good option for drugstores and their customers, where possible. He thought allowing this option in the

GC zone would make extreme sense. He was in support of the amendments in front of Commissioners and could not think of any reason not to allow them. He thought the amendments were reasonable. If the room is available, he said, a drugstore drive-through makes sense, especially on the east end of Redmond.

Next to speak was Larry Calvin, owner and founder of Northwest Development Advisors, LLC, at P.O. Box 12391, Mill Creek, Washington, 98082. Mr. Calvin has been working with Mr. Anderson and the City regarding his properties for the last seven years. This has been a long process, and Mr. Calvin said there has been a lot of evolution with the City's Zoning Code and Comprehensive Plan during that time. For some reason, during the last Zoning Code update, Mr. Calvin said, this change to drive-thrus was left out. Mr. Calvin said he has been talking with the City about making this change, especially in an area that is auto-oriented and has a general commercial use. He noted that the GC area was very limited in the City and not in an urban center area or neighborhood center, which are more pedestrian-oriented. He echoed Mr. Anderson's point that the amendments in front of the Commission made sense. Mr. Calvin supported the City moving forward with this Zoning Code change.

Commissioner Chandorkar asked Mr. Calvin if the drive-through for a drugstore would offer anything else in the store, or if this would cover only prescription dispensation, as is the case currently. Mr. Calvin said people can only call in orders for medication or pharmaceutical products at the drive-through, not food or other items. Commissioner Biethan said this was a tenant-driven issue. Mr. Calvin noted that the amendment spoke specifically to medical uses for the drive-through, not general household uses or other products sold at the drugstore. Commissioner Chandorkar said the language did not say that, exactly, in that what would be dispensed through the window is not specified. He asked if the language needed to be changed. Commissioner O'Hara said lawn chairs or umbrellas cannot be ordered through the window. While that might not be legally prohibited in the language, Commissioner O'Hara said it would make no sense for drugstores to offer other products at the drive-thrus.

Mr. Calvin noted that establishing new conditions on drive-thrus in the GC zone rather than what currently exists would be unfair to the current drive-thrus. Other zones might need changes in that situation, too. Commissioner Chandorkar said he was fine with the amendments presented, but wanted to make sure the language was written properly and legally. Mr. Calvin said the NIC standard could provide a definition and more clarity with regard to this situation. Chairman Gregory said a "personal care item" could potentially include a bottle of hydrogen peroxide, for example, but he did not see this as a larger retail outlet. If so, Commissioner Biethan said, other drugstores would have offering other products already. He asked why a GC change was necessary for the whole City rather than a development agreement specifically on the Stuart Anderson site.

Mr. Calvin explained that the Anderson site was originally in the GDD, or Gateway Design District zone. In the City's update of its Comprehensive Plan in 2005, NE 70th Street became a connector between Redmond Way and 180th Avenue NE. That created a combination of five acres into three irregular shaped lots, none of which was larger than

an acre. That meant the property owner could no longer accommodate the uses allowed in GDD, so the zoning was changed to GC for this area with help from the City Council and Planning Commission. At that point, Mr. Calvin learned about the drive-through prohibition and started working to change that prohibition. This year, the City moved this project forward. Commissioner Chandorkar said this appears to be an overlooked situation in the Code rewrite process.

Dorothy Brown next spoke to the Commission. She lives in the Marymoor Apartments at 6308 East Lake Sammamish Parkway NE. She has lived here since 2006, and she told the Commission that she has noticed tremendous traffic around her neighborhood. She said the building of more buildings in Redmond has exacerbated traffic, and there is no public transportation, she said, on East Lake Sammamish Parkway. She was unsure why having more pharmacies in the area, as proposed in these amendments, would help traffic. She has called the City about trying to change the traffic light timing to lessen congestion. She said she wanted to protest the building up of more buildings and the new development on East Lake Sammamish Parkway that is ruining the beauty of that road, in her opinion.

Ms. Brown said Redmond is no longer quaint, and is becoming more commercialized, much like Bellevue. She said traffic was getting dangerous, even when she is walking her dog. She said she had almost been hit five times. She wanted to make sure the Commission took her concerns about traffic into consideration. Chairman Gregory shared Ms. Brown's frustration about traffic and growth, but wanted to keep the focus of this part of the meeting on drugstore drive-through changes. He said allowing drugstore drive-thrus would not impact the general impact of traffic and growth. However, he did appreciate Ms. Brown's comments.

Commissioner Sanders noted that the Commission has been updated by staff about the Southeast Redmond Neighborhood Plan, and she encouraged Ms. Brown to stay involved and follow this issue. Ms. Sanders said she valued Ms. Brown's participation. Commissioner Biethan said it would be important for Ms. Brown to contact Kim Dietz and Jeff Churchill on City staff to get more information about the planning process for Southeast Redmond. Commissioner Biethan said he appreciated Ms. Brown's comments and asked her to stay involved. Chairman Gregory closed the public hearing on this issue and asked for a motion.

MOTION by Commissioner Biethan to recommend approval of the Zoning Code amendment to expand allowance for drive-through facilities in GC zones. MOTION seconded by Commissioner O'Hara. The MOTION approved unanimously.

PUBLIC HEARING AND STUDY SESSION, Proposed Zoning Code Amendment to hours of operation for eating and drinking establishments in the Manufacturing Park (MP) zone. Presented by Sarah Stiteler, City of Redmond Planning Department.

Chairman Gregory opened the public hearing on this amendment. Ms. Stiteler reviewed the topic and showed the Commissioners a map of the MP zones in the City. They are

primarily in southeast Redmond and also west of the Sammamish River across from City Hall. There are several types of eating and drinking establishments in the Zoning Code, including full service restaurants, cafeterias or limited service restaurants, and bars or drinking places. In the MP zones, there is a seating limit of fifty, or 25% of the gross floor area. When there are secondary uses associated with other food and beverage assembly or manufacturing or distribution uses, like for a caterer or microbrewery, the seating capacity is one hundred, or 25% of the total gross floor area of the combined uses. Currently, the hours of operation are limited, from 6 a.m. to 10 p.m., and the proposal is to extend the hours from 10 p.m. until 12 a.m., or midnight, daily.

Ms. Stiteler discussed how additional conditions would limit a full service restaurant, cafeteria or limited service restaurant, bar, or drinking place; as they are required to locate in a multi-tenant building or a single building in a multi-building, multi-tenant complex. The fifty-person seating limit capacity is in place except when associated with the manufacture of food or kindred products. In that case, a brewery, for example, could have a hundred-person seating capacity or greater as long as the seating area does not occupy more than 25% of the gross floor area of the combined two uses. The hours are currently limited from 6 a.m. to 10 p.m. The types of retail food related uses are limited, generally, to either serving employees in the area, such as a small deli, or associated seating for a business such as a caterer or brewery. A single tenant building serving food is not allowed in the MP zone. It must be located within a multi-tenant building or a single building a multi-building, multi-tenant complex, such as an office park, for example.

Staff has reviewed business licenses in the MP zones, and several businesses could benefit from this extended hours proposal. There are fewer than ten food related retail businesses, including the Black Raven Brewery, Flying Saucer Pizza, and others. Letters have been sent to all property owners, tenants, and businesses in the MP zones.

Commissioner Sanders asked how this amendment originated. Ms. Stiteler said this has been a concern among businesses over the years to make this change, especially on weekends. Commissioner Biethan asked about the businesses that would be impacted and what the largest number of seats would be allowed, using the 25% of the gross floor area instance. Ms. Stiteler did not know what the largest business would be. She did note that there is a limiting factor, in that parking would be limited to two to three spaces per 1,000 square feet. That would be well under half of what a restaurant would require for parking. Chairman Gregory clarified that the seating restriction calls for 100 seats or 25% of the gross floor area, as the limit.

Jonathan Zimmer spoke to the Commission first in the public hearing. He lives at 13427 NE 36th Place in Bellevue. He owns the Pomegranate Restaurant, which is in an MP zone in Redmond. He said his restaurant expanded last year and added a bar. Private dining rooms were built at that time. He said that seating limitation he is hearing at this meeting is a different interpretation than what he had heard before. The City asked him to re-permit his project due to many changes in the Zoning Code, and asked him to take out the private dining rooms, as they exceed the one hundred seat limit. However, those dining

rooms make up only about 18% of the total square footage of the building and only about 10% of the total square footage in the restaurant. He said the new interpretation of the Code he was hearing would have an impact on his business.

Chairman Gregory said, in reading the legislative language, the maximum seating was one hundred people, so long as it does not occupy more than 25% of the square footage. Thus, the 100-person mark is a maximum. Commissioner Biethan noted that seating limit does not apply when the use is secondary to a winery or a brewery, but the 25% limit would continue to apply. Mr. Zimmer said his catering company was his primary business. Commissioner Biethan said it appeared the seating limit would not apply to a winery or brewery, but he was not clear if that was true. Mr. Zimmer said it appeared this concept might be up for interpretation with regard to his business, but Ms. Stiteler disagreed.

Focusing back on the hours of operation, Mr. Zimmer said extending the hours should not be a big issue. He and a number of his customers have asked for that hours extension for some time now, in that the liquor laws allow the service of liquor until 2 a.m. He said there are certain sections in the MP zone that lend themselves to a business like catering, but he still faces some limitations. He proposed a hybrid type of zoning that could be considered in the future with regard to these businesses, especially when there is no impact on surrounding residential areas. He said extending hours to 12 a.m. would make sense to him and his business.

Ms. Brown, 6308 East Lake Sammamish Parkway NE came back to testify and said a lot of people in her complex are complaining about their kids and pets with regard to traffic hazards. She wanted to make sure the Commission heard her concerns, even in light of the growth and opportunity happening in the City. She wanted to make sure the Commission knew that traffic was getting a lot worse and was getting ridiculous, in terms of danger and noise. Chairman Gregory noted that the previous issue regarding drugstore drive-thrus was closed, and again urged her to join up with the Southeast Redmond Plan to voice her opinions. Chairman Gregory thanked her for testifying. He closed the public hearing regarding the hours of operation in the MP zone and asked the Commission to review the issues matrix on this topic.

Commissioner Biethan had a concern about whether the proposal of extending the hours for eating and drinking establishments supported the purpose of the MP zone. Commissioner Biethan appreciated staff's response to this issue, which Chairman Gregory closed.

The next issue raised the question of whether there were possible impacts to nearby residential areas and if there are ways to mitigate those impacts. This was raised by Commissioner Miller at the July 10, 2013 study session. Staff has made a response to this, and Chairman Gregory asked Ms. Stiteler what staff's recommendation was with respect to the Woodbridge Residential Area and the Jefferson Apartments. Ms. Stiteler said staff has noted that some residences are proximate to MP zones. There are not businesses, per se, that are eating and drinking establishments near those residences. That

is not to say that such establishments could be put in place nearby in the future. However, staff has consulted with Redmond Police and asked if there have been any issue officers would anticipate with regard to this proposal, and the police did not feel there would be any problems. If there are complaints of noise after 10 p.m. the police could handle these. Chairman Gregory closed this issue.

The next issue raised the concern over whether extending the hours for eating and drinking establishments would require additional police calls. Chairman Gregory noted the prior statement from police and staff that such concerns would not be significant if the hours were extended. Chairman Gregory said he had some concerns in recent weeks about the change in character that breweries and other establishments could have on MP zones. He reminded the Commission, however, that these would not be free-standing buildings and thus do not have the same character as a standalone restaurant, which might generate more traffic and potentially more problems after midnight. Chairman Gregory was satisfied that extending the hours would help the businesses without any notable impacts with respect to additional police calls or problems.

Commissioner Biethan said he was sorry about the Pomegranate situation regarding seating, and he was also concerned about possible character change with this amendment. He was not overly enthusiastic about what he called scope creep. He said he was a dissenting vote on this topic. He said these new uses were a concern, and he was concerned about allowing for more places to be set up primarily as drinking establishments. He said this was a fairness issue, too. A restaurant working in a retail space would pay retail rent. But in an MP zone, the rent would be tied to the MP zone and potentially much less. Supply and demand could then drive rents higher in the MP zones. Commissioner Biethan said unless he heard something different, he was absolutely not in support of this amendment.

Commissioner Chandorkar asked if all the businesses in question were drinking establishments associated with manufacturing. Commissioner Biethan said he should not have said that in that way. Commissioner Chandorkar asked if it was unambiguous in the language that drinking establishments could be created that would be associated with manufacturing uses. Ms. Stiteler said that if there is a brewery in an MP zone, they are there due to the manufacturing of beer, and thus a bona fide manufacturer. If there is a use that is secondary to the primary manufacturing use, meaning the manufacturing, distribution, or wholesale distribution of food or beverages, then there is a limitation on the seating capacity and/or the 25% limitation noted earlier. In all cases, the hours issue is separate and would apply to any and all businesses that deal with food and beverage.

Commissioner Sanders has an opposing view to Commissioner Biethan, and said these businesses in MP zones enhance the character of Redmond. They are more startup, creative, individual businesses. Having retail facilities associated with the primary manufacturing use helps grow these businesses and expose their products to more people. It is thus a unique part of Redmond and she liked the idea of extending the hours to help those businesses grow. Not all involve the drinking of alcohol, and in some cases, surrounding MP businesses can benefit from having an eating and drinking establishment

nearby. She continued that smaller businesses could benefit from this proposal and that it would not attract big chain businesses.

Commissioner Chandorkar asked, simply, where in the language it was clear that this new proposal did not allow more "bars." Eating establishments made sense to him, but he had concerns over drinking. Chairman Gregory clarified that there are no pure bars in Washington. Food has to be provided, as he understood the state law. Commissioner Biethan asked if there were any businesses involved in this situation that served more than just peanuts. Commissioner O'Hara clarified that the Commission was discussing changing the hours, not the nature of the businesses involved. Commissioner O'Hara asked, if the Commission passed this measure and, hypothetically, southeast Redmond turned into a problem drinking area, whether staff might come back and ask to put the 10 p.m. limit back in place. Ms. Stiteler said that was possible. Commissioner Chandorkar said changing the closing hours by two hours might change the character of the MP zone. Chairman Gregory closed the issue about additional police calls.

The next issue dealt with an information request about whether alcohol could be served at 6 a.m., and according to state law, that is indeed possible. This would be limited by the hours of the businesses involved in an MP zone, however. Chairman Gregory closed this issue and moved back to the general discussion.

Commissioner O'Hara said this was a good discussion, and he did not think changing the hours to go two hours later would create a significant change in character. Moving ahead to 2 a.m. would be different, in his opinion. He added that the MP zones are not like Belltown or other areas with lots of bars and nightlife. He said he was comfortable with the amendment as written.

Commissioner Chandorkar noted that there was an amendment a few years ago before the Commission allowing for residential units in the MP zone west of East Lake Sammamish. That would bring residents closer to these eating and drinking establishments, potentially. Having said that, Commissioner Chandorkar said rejecting this amendment would not be fair to some businesses. He said this amendment is okay, but in spirit, he agreed with Commissioner Biethan that the proposal will change the character of the MP zone and may need to be revisited in the future. Right now, penalizing businesses in the MP zone does not make sense to him.

MOTION by Commissioner Sanders to recommend approval of the proposed Zoning Code amendment to hours of operations for eating and drinking establishments in the MP zones. MOTION seconded by Commissioner O'Hara. MOTION approved (4-1), with Commissioner Biethan casting the opposing vote.

REPORTS/SCHEDULING/TOPICS FOR NEXT MEETING(S):

Chairman Gregory noted that the Commission would next meet on August 14th. Ms. Stiteler noted the City's website had an announcement regarding the Southeast Redmond Plan on the home page. The Southeast Neighborhood Plan Open House is happening July

18th from 5 p.m. to 7 p.m. at the Redmond Fire Station. Ms. Stiteler asked Commissioners if they would like to see a demonstration of the e-zoning code. Commissioner O'Hara said it would make more sense for Ms. Stiteler to postpone a full demonstration of the website until more Commissioners were present.

Ms. Stiteler stated that the City has just received a 2013 Governor's Smart Communities Award, a Judge's Merit Award for Innovative Public Accessibility for the digital planning and development suite, Redmond also received an award for this from the Puget Sound Regional Council in April. Redmond's digital planning and development suite, includes the online Zoning Code, Comprehensive Plan, and e-track portal for permit review. Chairman Gregory offered his congratulations to the City and City staff. Ms. Stiteler said, at Derby days, the City went through 2,000 Dixie cups of lemonade at the Neighborhoods booth. The public offered some ideas about the kinds of elements or characteristics they would like to see in higher density neighborhoods to make them comfortable and friendly to any person or family.

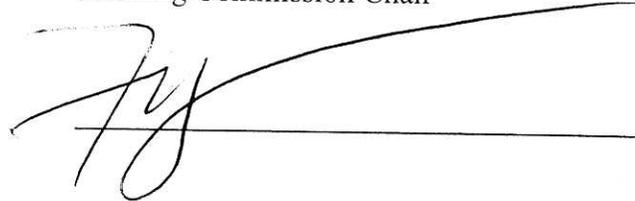
ADJOURN

MOTION by Commissioner O'Hara to adjourn the meeting. MOTION seconded by Commissioner Chandorkar. Chairman Gregory adjourned the meeting at approximately 8:12 p.m.

Minutes Approved On:

Planning Commission Chair

August 14, 2013

A handwritten signature in black ink, appearing to be 'TJ', is written over a horizontal line. The signature is stylized and cursive.