

Planning Commission

Resolution No. 19-07

**A Resolution Recommending that the City Council Approve Amendments to the
Riverfront Redevelopment Master Plan for the Landfill Site,
Subject to an Amended Development Agreement and Attachments**

WHEREAS, the Planning Commission finds the following:

1. The 2003 adoption of the Everett Shoreline Master Program, later incorporated as the Shoreline Element of the Everett Comprehensive Plan, includes a vision for Landfill site encouraging a high quality, master planned, people-oriented mixed-use center consisting of commercial/retail, office, multifamily residential, public access to the shoreline, ample trails and walkways, abundant parking, and maximizing public enjoyment of the river.
2. In 2009 the City Council approved a master plan for the redevelopment of properties located along the Snohomish River, including the Landfill site, through the Planned Development Overlay (PDO) Zone process, as provided in Everett Municipal Code chapter 19.29.
3. The master plan included development concepts for three parcels known as the Simpson site, the Landfill site, and the Eclipse Mill site.
4. The master plan approved through the PDO Zone process identified residential development on the Simpson and Eclipse Mill sites, and development of a “lifestyle entertainment center” on the Landfill site.
5. The comprehensive plan designation for the three riverfront sites is “waterfront commercial” and the zoning is also WC (Waterfront Commercial).
6. The overall master plan for the three sites included modified development standards for the underlying Waterfront Commercial zoning applicable to all three sites.
7. The Zoning Code requires that the City Council find that the modification of otherwise applicable development standards for properties using the PDO master plan process is justified by the provision of public benefits created through the master plan.
8. The City Council found that the original master plan for Riverfront redevelopment provided substantial public benefit, including improved public access to shorelines, new and extended public trails, a new public park, restored wildlife habitat, enhanced water

quality and wetland functions, and former brownfields revitalized with new residential and commercial uses.

9. The PDO master plan adopted by the City Council included a Development Agreement with terms governing the development of all three sites.
10. In 2014, the City Council approved an amendment to the Development Agreement for the Simpson site and the Eclipse Mill site.
11. Since 2014, both the Simpson and Eclipse Mill sites have been developed with new housing consistent with the amendments to the master plan.
12. RCI Riverfront Commercial Investment LLC (“RCI”), owner of the Landfill site, now proposes amendments to the master plan for the Landfill site to change it from a retail and entertainment center to a mixed-use residential and commercial development including up to 1,250 multi-family housing units, a theater complex, specialty grocer, other retail and restaurant uses, a 250-room hotel, medical and other office uses.
13. The Planning Director (City’s SEPA Responsible Official) has issued a SEPA Addendum to the Riverfront Redevelopment Final Environmental Impact Statement (EIS) finding that the impacts anticipated from the proposed amendments to the Riverfront Redevelopment master plan fall within the range of impacts analyzed in the Final EIS.
14. RCI has agreed to provide additional public benefits not required of the previous developer. Specifically, RCI will construct the three-acre park located along the Snohomish River, which was previously the responsibility of the City of Everett.
15. The Planning Commission held a public workshop on February 26, 2019, at which members of the public provided questions, comments and testimony concerning the proposed development of the Landfill site.
16. The Planning Commission held a public hearing on March 26, 2019, at which the Commission heard additional testimony from the public, RCI, and City staff.
17. The Planning Commission discussed the proposed changes to the master plan in light of the evaluation criteria listed in EMC Section 19.29.050.C.
18. The amendment of a PDO master plan falls under the City’s site-specific rezone process.
19. The Zoning Code requires the Planning Commission and City Council to consider the following criteria when evaluating rezone proposals:

Site-Specific Rezones.

2. *Criteria. The review authority may approve an application for a site-specific rezone if it finds that:*

- a. The proposed rezone is consistent with the Everett comprehensive plan; and*
- b. The proposed rezone bears a substantial relation to public health, safety or welfare; and the proposed rezone promotes the best long-term interests of the Everett community; and*
- c. The proposed rezone mitigates any adverse impact(s) upon existing or anticipated land uses in the immediate vicinity of the subject property.*

WHEREAS, the Planning Commission concludes the following:

1. It has received and reviewed all relevant application materials, environmental documents, background information, proposed site plans and First Phase building elevations and architectural renderings, and proposed amendments to development standards.
2. The City has conducted a thorough examination of the proposed amendments to the development plan for the Landfill site, including the potential environmental impacts from the revised development plan, and has correctly concluded that the impacts fall within the range analyzed in the draft and final Environmental Impact Statement for the originally approved master plan.
3. The impacts of the proposed master plan will be adequately mitigated through the requirements stated in the Final EIS, and incorporated into the revised Attachment I to the Development Agreement for the Landfill site.
4. The Landfill site is designated by the Shoreline Element of the Everett Comprehensive Plan ” for redevelopment with a high quality, master planned, people-oriented mixed-use center consisting of commercial/retail, office, multifamily residential, and public access to the shoreline. The proposed amendments to the master plan are consistent with the vision as stated in the Comprehensive Plan.
5. The proposed amendment to the master plan for the Landfill site includes additional public benefits above and beyond those provided by the originally approved master plan, including development by RCI of the three-acre public park on the Snohomish River.
6. The proposed amendments to the site development plan for the Landfill site maintain the public plaza and central gathering spaces of the originally approved plan, which provide quality public places for Everett residents and visitors to enjoy entertainment, restaurants, social events and activities.
7. The development plan for the Landfill site will connect to the regional trail system located along the Snohomish River located immediately east of the Landfill site and to

the three-acre park located immediately north of the Landfill site, providing residents of the proposed development access to recreational opportunities.

8. The amended development standards and design guidelines will ensure that the redevelopment of the Landfill site will consist of well-designed buildings using high quality, durable materials and finishes.
9. The proposed amendments to the master plan for the Landfill site promote the public health, safety and welfare, and the best long-term interests of the Everett community.

NOW, THEREFORE, THE PLANNING COMMISSION RESOLVES THE FOLLOWING:

1. The Planning Commission recommends that the City Council approve the proposed amendments to the Riverfront Redevelopment master plan for the Landfill site, as presented in the application materials submitted by RCI, subject to the proposed amendments to the Development Agreement and Attachments thereto.
2. City staff are authorized to make further revisions to the amendments to the Development Agreement and its Attachments as necessary to provide further clarification in preparation for approval by the City Council, provided such changes are to clarify the documents and do not change the substantive requirements related to the overall Landfill site redevelopment.

Planning Commission Chairperson

Date

Planning Commission Secretary