

Development Commission
9-7-16

**CITY OF ISSAQUAH
DEVELOPMENT COMMISSION
MINUTES
September 7, 2016**

City Hall South
Council Chambers

135 E. Sunset Way
Issaquah, WA 98027

COMMISSIONERS PRESENT

Richard Sowa, Chair
Mel Morgan, Jr., Vice Chair
Robert Bakh, Alt.
Michael Brennan
Randy Harrison
Ray Leong
Kevin Price

STAFF PRESENT

Amy Tarce, Senior Planner
Lucy Sloman, Land Development Manager
Keith Niven, Economic & Dev. Services Director

APPLICANTS/OTHERS PRESENT

Aron Golden, Conner Homes
Jeff Schramm, TENW

CALL TO ORDER

SOWA, Chair, called the meeting to order at 7:02 PM.

APPROVAL OF MINUTES

MOVED BY BRENNAN, SECONDED BY MORGAN that minutes of the Development Commission meeting on July 6, 2016 be approved as presented. MOTION CARRIED UNANIMOUSLY.

MOVED BY BRENNAN, SECONDED BY BAKH that minutes of the Development Commission meeting on July 20, 2016 be approved as presented. MOTION CARRIED UNANIMOUSLY.

MOVED BY MORGAN, SECONDED BY BRENNAN to publicly acknowledge the excellent meeting minutes the Development Commission is receiving from the Recording Secretary. MOTION CARRIED UNANIMOUSLY.

STAFF UPDATE

Keith Niven, Economic and Development Services Director, made the following remarks to the Commission. He said for those who are not aware, the City Council met last night and passed a temporary development moratorium in the City. He said there were a number of reasons why they felt it was necessary, and said he can give the highpoints of that moratorium and what projects are included and excluded, or can answer questions from the Commission. The Commission elected to hear from staff first.

Niven continued his remarks. He explained where the "line was drawn," meaning which projects will be affected by the moratorium, and why the Council thought a moratorium was warranted. He said the discussion came out of the Council's request for a three-year assessment of the Central Issaquah Plan (CIP), including which projects have come through the pipeline to date and whether the plan is on track for achieving the vision that drove the CIP. He said staff went through an assessment of Central Issaquah with the Council, on a district-by-district basis, and discussed what has taken place in each neighborhood. From there, the Council indicated they felt that the indicators showed certain deficiencies where the vision was not being met. He listed the specific items the Council indicated were concerning to them and that caused them to enact a moratorium.

Niven continued his remarks by indicating that certain projects that are already in the pipeline will continue and not be stopped by the moratorium, including Riva Townhomes, Gateway Apartments, Sunset 7 Apartments, and so on. Other projects will have to wait until the moratorium is lifted, he

Development Commission
9-7-16

said. The “line” for determining whether a project is subject to the moratorium is whether or not a completed permit application for land use is in place. The moratorium is a rolling, six-month moratorium, and staff will be working on a work plan in the next few weeks to alleviate the concerns expressed by the Council.

He referred to the legal issues the City faces in enacting a moratorium, including the need to have a work plan with a perceivable end, or be subject to lawsuits. He noted that exclusions from the need to have a completed land use permit include projects that are on properties covered by development agreements; transit-oriented development; central public facilities; publicly funded schools and the Village Theatre; projects that involve the sale of land owned by the City and/or capital improvement projects; remodels and tenant improvements; single-family homes; affordable housing projects with at least 40 percent of units being affordable; and emergency repairs or construction necessitated by disasters. He said the state statute allows for a moratorium under certain conditions, but must have a public hearing within 60 days to hear from interested and/or aggrieved parties. That hearing is scheduled for October 17, 2016 in Council Chambers, he stated.

BRENNAN asked does the moratorium apply to just the Central Issaquah area or citywide. Niven explained how the Council reached its decision to apply the moratorium citywide, including the need to figure out what to do about affordable housing before too many properties all over the city are permitted. BRENNAN asked how much of what is in the pipeline will proceed, and how much will be coming to the Development Commission for review. Sloman replied there are at least two permitted projects that will be coming to the Commission; a slowdown is likely to be seen more in the new year than this fall. She said there is a fairly long list of projects that made the cut-off, but not all of them will be coming to the Development Commission for review, such as those that will go to the Urban Village Development Commission.

MORGAN asked about the proposed rezone project in the Highlands. Niven replied the property owner has expressed interest in a development there that is not currently allowed in the City’s zoning regulations. As of today, he continued, they have not made a request for what would be analogous to a rezone. He described the 20-acre, L-shaped property in question, and said his understanding is that there is not much interest by the Highlands community in putting in more housing there. MORGAN asked for clarification of whether that would be subject to the moratorium. Niven replied it depends on the timing. If the request came into the City in advance of the development agreement expiring next year, then it would be covered by the City’s development agreement. If it came in after the agreement expired, then it would be subject to the moratorium.

LEONG noted the items that concerned the Council vary from affordable housing to architectural issues to parking. Will the Development Commission get involved in giving input on those concerns, or will the City be coming up with new guidelines. Niven referred to the work plan that staff will be developing in the next few weeks. It is possible, for example, that the Council may ask the Development Commission to get involved in architectural review, specifically to get input and help craft guidelines. Staff will be putting some timing around the work plan items in the next few weeks, and while it is likely there will be some touch points with the Development Commission, we don’t know what they are right now, he concluded.

HARRISON asked has there been any discussion of establishing an architectural review board. Niven replied that is one option. The City Council could decide to create a separate board that would review each project, separate from the Development Commission’s review. Another way would be to hire a consultant to perform the architectural review, which would then be incorporated into the staff reports for the Development Commission to react to. The Council has indicated it is open to considering different methods and procedures, and staff will be talking among themselves as well to propose options.

Development Commission
9-7-16

HARRISON asked did the subject of staff workload come up. The City has a lot going on, and there are a fixed number of people on staff, he continued. Was staffing a consideration, he asked. Niven said no, not directly. He referred to a consultant recently hired to do a vertical mixed-use study, which will be presented along with a housing strategy presentation to the Council on September 27. He described the work being done on those two issues, and gave his perspective on the Council's concerns about achieving the vision and parking.

HARRISON asked what is the effect, if any, of the moratorium on traffic. Niven said in his opinion, the effect is probably negligible. He characterized much of the traffic being experienced in the City now as coming from construction projects, both projects within the City and those in nearby jurisdictions that have resulted in traffic moving through the City, and regional traffic.

BAKH asked will the moratorium create an even worse housing shortage situation for the City. Niven replied the moratorium is temporary. The City receives its growth targets from the state and PSRC (Puget Sound Regional Council), which is 5500 housing units. The moratorium may change the pace that the 5500 units are built, but they will eventually be built. The Council wants to step back and see what can be done to influence whether that housing comes in at market rate or at a particular price point. That is a conversation the Council and Administration will be having over the next six to eight months, he added.

The July 11 work session discussions that led to the Council's decision to enact a moratorium can be viewed at this website:

https://www.youtube.com/watch?v=BgBhC4o6muA&list=PLJFSvQKbGsqGTHeVxpcCfDKs07_iQetmY&index=6

PUBLIC HEARING: Riva Townhomes, Site Development Permit 15-00004

Approval for 36 townhomes on about 8.39 acres, located in Central Issaquah on Newport Way, across from the Cougar Mountain Regional Wildland Park trailhead. The site includes about 6.2 acres of critical areas, including a fish-bearing stream, wetlands, and associated buffers for Tibbetts Creek and the wetlands, reducing the developable area to 2.19 acres.

Staff Presentation

Lucy Sloman gave a quick recap of the nature of a quasi-judicial matter, noting that in tonight's decision on Riva Townhomes, the Development Commission is acting in a quasi-judicial manner. She briefly described procedural due process and substantial due process, and asked Commissioners whether they would answer "yes" to a series of questions about their ability to be fair and impartial in making a decision on this project. All Commissioners answered "no." She then asked whether any Commissioners had had ex parte communications or contact with the applicant or anyone with an interest in this project. All Commissioners answered "no." She asked whether anyone wanted to challenge the participation of any of the Commissioners in this decision, and there was none.

Amy Tarce made staff's presentation. She noted tonight's meeting is a continuation of a public hearing on the Riva Townhouses project on March 9, 2016. The continuation was originally scheduled for April 6, but the applicant requested more time to work with staff on one of the conditions related to the Shared Use Route. Tarce continued her presentation of the information contained in the Staff Briefing Memo dated August 31, 2016. She noted that public comment is included as Attachments 6-9, and additional public comment received since the memo was prepared have been distributed to Commissioners and included as Exhibits 1-4. She said her

Development Commission
9-7-16

comments tonight will focus mainly on the topics of interest at the previous public hearing, the Shared Use Route and traffic/safety concerns.

Tarce displayed a Regional Trail System map and explained in detail how the applicant and Administration are proposing to connect the required Shared Use Route with existing and planned trails, as detailed on pages 8-9 of the Staff Briefing Memo. She continued the applicant has provided the Administration with two cost estimates for constructing this Shared Use Route. The route is significant—over 1,000 linear feet—and due to its cost, in this situation staff thinks the cost is far beyond what the applicant would have had to pay in park impact fees. As a result, she continued, staff is proposing condition 9, as follows: *In lieu of constructing the Shared Use Route, the Applicant shall pay the applicable Park Impact Fees for 36 multi-family units. The Applicant shall also provide a relocatable public access easement, with a width of 20 feet, for the entire length of the Shared Use Route... The current location of the Shared Use Route as shown in the SDP permit shall be signed, prior to the sale of the first unit, to ensure residents and owners are aware of the potential Shared Use Route.* Signage will also be installed at the entry of the property indicating where the future trailhead will be, and residents will be notified of the future trailhead. She briefly described changes to condition 2 and the elimination of conditions 10 and 11.

She continued her comments on traffic and safety concerns, including the interest expressed in a potential four-way stop or signal at the Newport Way intersection with Oakcrest Drive. She said staff's recommendation is to continue to use the City's standards for sight distances, clearances, and so on during the permit review, which indicate that no sight distances will be blocked. She continued another area of concern is whether Newport Way is wide enough to accommodate vehicular traffic and pedestrian safety. She showed a diagram of the existing right-of-way and what is being required of the applicant for Newport Way. She described the 1.5 feet of frontage being required of the developer to provide along the full width of Newport Way; paving on the full width of the roadway with curbs and gutters; commuter bike lanes and a raised shared use trail; a center turn lane or landscaped median; repositioning the existing street lights; and installing a temporary 5-foot gravel walkway to the Cougar Mountain trailhead to replace a 10-foot shoulder that is being eliminated.

From staff's perspective, she concluded, the Administration has addressed the concerns expressed about this project, and together with additional information provided by the applicant and the revisions and changes included in the Staff Briefing Memos, is recommending approval of SDP15-00004.

MORGAN noted you said that the City received two cost estimates from the applicant, and asked what were those estimates. Tarce replied they were about twice as much as the park impact fees would be. The estimates ranged from about \$500,000 to \$800,000, not including railings and geotechnical studies.

BRENNAN asked for clarification of a "re-locatable public easement," as referenced in condition 9. Tarce replied we have a general idea where the easement will be, but it may shift somewhat depending on what is found when we start looking at actual site conditions. The line may shift somewhat, for example, in order to avoid existing trees. It will remain running in the same general direction as what is shown now, she added. BRENNAN said so it may not be exactly as shown here because of topography or vegetation. Tarce replied that is correct

HARRISON asked is the requirement to build the Shared Use Route being delayed, or must it be constructed within a fixed time frame. Tarce replied in this case, staff acknowledges that it is an important element of the green necklace, but the applicant is not required to construct it. Either the City or some other party or entity, not yet identified, will be responsible for constructing it.

Development Commission
9-7-16

LEONG said parking and the King County trailhead were discussed at the last meeting on this application, but didn't appear to be addressed in the staff memo. Tarce replied King County's Parks Department is proceeding with applying for a grant for a 40-space parking lot onsite, so it is just a matter of timing before that issue is resolved. The City will continue to work with them to monitor adequate parking at the site, she added. LEONG asked so the parking lot would be at the trailhead. Tarce replied yes, it would be within King County's property.

BAKH asked for more clarification of why no traffic light is being proposed. Tarce replied looking at it systemwide, Newport Way is intended to function as an arterial, with constantly moving traffic. The City's Public Works Director is not supportive of anything that would hinder that, she said. Also, the traffic study has indicated that not enough trips will be triggered to warrant a signal at the intersection with Newport, primarily because the project will result in so few new housing units. BAKH noted the trailhead will result in more people moving around at that location. Tarce replied for pedestrian safety, the intersection will have a more enhanced pedestrian system, including a high-visibility rectangular flashing beacon, speed radar to remind drivers to slow down approaching the crosswalk, and improvements to the crosswalks at the intersection of Oakcrest and Newport Way.

HARRISON asked for clarification of the requirement to regrade Newport to accommodate the replacement project at the Anti-Aircraft Creek Culvert. Tarce replied due to requirements for fish passage and raising the height of the culvert cover, the City has to raise the grade of Newport Way. Since the applicant will be building on Newport, they were able to accommodate the required change in grade on this site by changing the height of townhouse garages along Newport.

LEONG expressed concern about nearby projects adding something like 900 units of housing along Newport Way that will generate a lot of traffic, and asked whether discussions continued about the possibility of a roundabout at the intersection. Tarce replied a roundabout was included as part of the Gateway Apartments project, and showed it on a diagram. Sloman noted even with the addition of the Gateway Apartments project, the traffic analysis indicates that not enough traffic would be generated to allow us to installing a traffic signal at the intersection of Newport and Oakcrest. LEONG asked what is the number that would "trip the warrant" and indicate that a traffic signal was warranted. Jeff Schramm, Transportation Engineer/Consultant, TENW, 11400 SE 8th Street, Suite 200, Bellevue, said that calculation is actually made from a series of warrants. The one that is typically triggered is the peak-hour warrant, he continued. The trigger would need about 150 trips from the side street, which is the equivalent of about 200 units on this property, he added, and so a traffic signal would not be warranted at this intersection. LEONG asked what is considered peak-hours. Schramm said typically we would look at both morning peak-hours, 7:30 to 8:30 a.m., and afternoon peak, 4:30 to 5:30 p.m. BAKH clarified so the trigger would be enough added traffic coming out of the Riva Townhomes. Schramm replied yes; if there was enough added volume onto Newport then we would be near where the warrant would be, and that has been calculated as an additional 200 housing units, whereas Riva Townhomes will add only 36 units.

HARRISON asked when the expression is used that "a traffic signal would not be allowed," by whom is it not allowed. Schramm referred to the nationally accepted standards (MUTCD, or Manual on Uniform Traffic Control Devices). He gave more details about the standards, and said it is a standard practice not to install a signal when the traffic-volume warrant is not met. Sloman added her understanding is that is also a liability issue for the City. If the City elects to install signals or stop signs where they are not warranted and something occurs there, they the City could be found as having installed the signal or sign contrary to professional standards, which could create an additional liability for the City.

Development Commission
9-7-16

PRICE asked is the same criteria used for roundabouts. Schramm replied no. If a signal is not warranted, one option is the use of a roundabout as an alternative. There is no standard for roundabouts as there is for traffic signals, he continued. PRICE asked would the same liability for the City apply. Schramm replied there are more situations that allow for roundabouts than traffic signals, so the liability would not be exactly equivalent. PRICE noted most of the traffic going out onto Newport will be going left, and asked is that part of the flow-rate calculation. Schramm replied yes. When we figured that into the equation, the intersection was projected to function at a level "C," which is an acceptable level without a traffic-stopping device.

HARRISON asked has there been any indication yet from the Atlas project and other housing projects going on whether these new tenants will be working in Issaquah or commuting elsewhere, perhaps as part of a marketing study by the developers. Sloman said that information may exist as part of a marketing study, but if so, it has not been shared with the City. HARRISON said that would be interesting information to have. LEONG agreed, and said he seemed to recall a study was done that included that information. Sloman clarified that the traffic impact analysis done for this project is based on a model of what is expected; it does not include data about the people who will eventually be tenants.

BAKH asked for clarification of the school bus stops. Tarce noted the school bus stop is expected to be close to the crosswalk. Sloman noted that school bus stops can change every year, so it is hard to predict where it will be once construction occurs. BAKH asked whether we know which schools students who live in these units will attend. Sloman replied school boundaries also change, so we don't know that right now. HARRISON clarified that the Issaquah School District's policy is to pick up and discharge students on arterials, and not enter into neighborhoods. Tarce replied that is correct. BAKH noted the location of schools would influence traffic volumes in one direction or the other on Newport Way. Sloman noted that school bus traffic would contribute to through-traffic but not cross-street traffic.

Applicant Presentation

Aron Golden, Conner Homes, thanked staff and the Development Commission for their time and efforts working on this project. He said he and his team are here tonight to answer any questions, and thinks this is an attractive project for the City that meets a distinct market niche.

Public Comment

SOWA opened the meeting for public comment at 8:16 PM.

Hart Sugarman, 2550 NW Oakcrest Drive, said he has been a City resident for over 20 years. He thanked staff for replying to his written comments. He said the decision to build the Riva complex adjacent to the roadway will be precedent-setting; it is the first housing complex in the City to be built right next to the road. He described the sight-line issues he experiences now coming out of Oakcrest Drive onto Newport Way and said these will be made worse with the Riva project. He said every other intersection on Newport has traffic controls. He discussed the roundabout that will be installed as part of the Gateway Apartments project and questioned how pedestrian safety will be ensured there. He also noted that many drivers from Talus choose to use Exit 13 rather than Exit 15, which increases traffic on Newport, and the additional traffic from Riva and Gateway make the traffic studies done to date obsolete. He also said although building roads first, then dwellings inconveniences existing residents, it is not as inconvenient as building dwellings first, then roads.

Tina Conforti, 1220 Oakwood Place NW, Issaquah, said she agrees that the complex is positioned too close to the roadway. She said she doesn't feel the project is safe, and that people who don't live there can't really appreciate how dangerous it will be. She spoke of the dust, pollution, and truck traffic on Newport from the Gateway project, including a street cleaning vehicle that uses

Development Commission
9-7-16

Oakcrest to make U-turns. She said children are in danger, and talked about the need for a traffic light at the intersection of Oakcrest and Newport. When all the projects under way are completed, she noted, there will be three or four times as much traffic as there is now. She asked the Commission to take into consideration all of the noise and disruption these projects are causing to existing neighborhoods and residents.

Joe Verner, 1230 Oakwood Place NW, Issaquah, said he lives in the Summerhill subdivision, and would like to debunk some myths about the Oakcrest intersection. He showed it on a map, including the crosswalk and school bus stop, and said the City has said it is going to “do something about Newport” for 30 years. Now we are facing 5-6 years of projects, he continued. He said contrary to what was stated earlier, the school district boundary won't change, the streets will stay the same as they are now, and the only thing that will change is a huge increase in traffic. He described the long effort it took to get the City to reduce speeds on Newport from 40 to 30 mph, and said it took the death of a four-year-old to get the City to reduce the speed limit and put in a new crosswalk sign. He invited Commissioners to go to the neighborhood and see for themselves that the crosswalk sign is ineffective. He said now we will be having more traffic going west on Newport to work, and said he wonders whether it will take another tragic accident to get the City to take some action.

Mary Lynch, 2690 NW Oakcrest Drive, Issaquah, thanked staff for attempting to put together a package that follows the CIP. She said she would like to remind the Commission that when the CIP was approved, the City had already identified that it has flaws. Now changes are being rushed through without adequate public comment, and referred to a Land and Shore Committee public hearing tomorrow night at 5:30 in the Council Chambers. She said she doesn't think the trail should be built across wetlands in the first place, and asked will the trail be given to the City to maintain into perpetuity, noting that the City already has funding issues. Who will maintain and pay for the trail, she asked. She expressed her concerns about the need to relocate the Anti-Aircraft Creek culvert, and said it will result in not having enough room to safely walk away from traffic, especially when trucks are passing by. She described her other concerns with the traffic circle at the Gateway Apartments project, and how the need for a construction staging area there will create safety issues for pedestrians and motorists. She described the recommendations in a consultant's work on a Pedestrian/Crosswalk Study and said none of those recommendations are in this project. She urged the Development Commission to take actions tonight to help make our streets and neighborhoods safer.

John Fisher, 2122 Newport Way NW, Issaquah, thanked the Development Commission for its attention to this matter, and said the applicant has been both attentive and communicative during this process. He said he sees several contradictions, particularly with the proposal on the Shared Use Route and boardwalk. He said he sees a conflict because there is no commercial development west of Tibbetts; it is all on the east side. He said the wetlands must be protected, and we all want to promote walkability and bus ridership, but there is no transit access west of Tibbetts and no prospect of it coming as far as he knows. He referred to comments he submitted on April 4 that questioned the cost and other aspects of the trail proposal. He showed the proposed trail on a diagram, and noted that any connectivity benefit would be east-west, not north-south, and would give no benefit to Sammamish Pointe residents. In fact, it would adversely affect them because it would require tree removal, he noted. He gave examples of proposals for walkways on the south side of Newport but asked how long would those proposals take to come to fruition, and how many years will people jaywalk across the road. Issaquah is a very fortunate community in that it has lots of resources, he concluded, but that does not absolve us of being careful of how public funds are used. He said he urges the Commission to consider this project in the context of existing residents and asked that City expenditures and use of park fees be responsible.

Development Commission
9-7-16

Hearing no additional requests to speak, SOWA closed public comment at 8:48 PM.

Commissioner Discussion

HARRISON noted the concerns expressed tonight are definitely legitimate but there needs to be a clear understanding of what is within the Development Commission's purview, versus what is the responsibility of the Mayor, City Council, and City staff. That said, he continued, he has ongoing concerns about the intersection issue. He said he understands the data and standards used to address traffic at the intersection, including school bus and pedestrian usage, but when he looks at the map and drives on Newport, emotionally and rationally the proposal just doesn't seem to ring true. He said he understands the liability issue, but he thinks the proposed intersection as it is now planned will result in additional liability for the City because it's hard not to believe there will not be another fatal accident there. BAKH agreed.

MORGAN said conditions 22 and 23 refer to "further refining...natural materials" and "providing additional architectural details...". Given that those conditions were in place when the Commission reviewed this application last March, he continued, those additional details could have been brought back to the Commission at tonight's meeting for additional input. Tarce explained that staff typically works out the details of the conditions with the applicant once the conditions are approved, and in this case the applicant chose to put that work aside until after the Commission had completed its review of the project's SDP. MORGAN said given that it has been about six months since we last discussed this project, it would have probably been better to have the applicant make those changes in the interim and bring them forward to the Commission. Tarce said she will keep that in mind for future applications.

Jeff Schramm, Transportation Engineer/Consultant, TENW, 11400 SE 8th Street, Suite 200, Bellevue, said he has heard the concerns about the intersection of Oakcrest and Newport "loud and clear." The question underlying the concerns is whether or not the intersection is safe, he continued. In my professional opinion, he stated, the improvements planned for the intersection are just that—improvements. He described the improvements, saying they will add turn lanes, build out the City's plans for this roadway, and create a narrowing of through-lanes which will also slow speeds. The rapid flashing beacon mechanism will continue to be maintained, with a newly aligned intersection that will improve sight lines, plus improvements to curve ramps and better crosswalk delineation. He said the changes will supplement what the City is planning for Newport Way, and said the additional traffic will be mitigated by the improvements being made there. Sloman asked Schramm to explain why a four-way stop sign or traffic signal is not being proposed. Schramm said it is not considered good practice or safe to use a four-way stop or traffic signal on an arterial, which is intended to carry traffic through a corridor. The appropriate control here would be a stop sign at the side street, and an all-way stop is not the appropriate control here.

BRENNAN asked what is the expected duration of the temporary trail to the trailhead, and said perhaps at least a curb separation could be installed there. Tarce said that idea has come up in discussions with the applicant, and we can look into it. We want people to feel safe, she continued, and the proposed condition is intended to help delineate a clear walkway, so if a curb separation will help, we can discuss it with the applicant. BRENNAN asked whether there is any sense of how long the temporary trail will exist. Tarce replied it is on City property, and to her knowledge the City doesn't have any plans for the property. Sloman noted it is part of the "missing segments" bond measure that will be before voters this fall. LEONG asked will the area from Oakcrest to the trailhead be a sidewalk or gravel. Tarce replied it will be a temporary five-foot-wide gravel path, and showed it on a diagram. LEONG asked will the bond measure propose to pay for a permanent sidewalk there. Sloman said her understanding is that the bond measure would pay for that part of the segments that are not the responsibility of property developers.

Development Commission
9-7-16

BRENNAN asked for clarification of revised condition 4, *“The primary through-block passage walkway serving units 34-36 shall be six feet wide.”* He said he recalled that the original condition called for a 10-foot wide sidewalk. Tarce gave background on the change, noting that the original condition stipulated five feet, then was changed to ten feet, and is now six feet. The shifts occurred because fire trucks required more space for turning, so units 34-36 moved to the east. In re-evaluating the resulting space, the applicant and staff reasoned that there won’t be many people using the sidewalk to access just these three units, and so it would be better to have a smaller walkway and a larger open space there. She concluded the condition stipulates “six feet” because the CIP does not include an applicable standard. BRENNAN asked does the wording imply “a minimum of six...” or “exactly six.” Tarce replied, “exactly six.”

HARRISON clarified that his earlier remarks about potential problems at the intersection were not intended to impugn anyone’s integrity or professional expertise on the issue of traffic safety. Rather, he continued, speaking as someone who is not a traffic engineer, the lack of a traffic signal or control there seems counter-intuitive, and said he appreciates Schramm’s explanation. He asked when will the Commission be able to see the materials and so on that MORGAN referred to. Tarce said it is staff’s hope that the Commission feels comfortable enough with the SDP application that it can approve it tonight, and then staff can begin working out the details with the applicant. If not, the Commission can indicate it wants more time for its review and would prefer to have another meeting, which could include the materials. Sloman added on condition 22, which refers to the incorporation of natural materials, the intention was that the appearance of the buildings themselves would not be altered in that the color, appearance, and so on would be consistent, but that the materials to achieve that could be stone, or wood, or hardiplank, and so on.

BAKH spoke of the perception expressed earlier that the project is too close to the roadway, and said he’s not sure he is comfortable with that. Tarce showed an illustration of Newport Way and said no units are perpendicular to Newport Way, so car lights from cars driving on Newport won’t flash into living spaces, for example. Sloman noted the standard for central Issaquah is a build-to line, rather than a set-back line. The build-to requirement is anywhere from 0 to 15 feet, she clarified, and this application falls within that zone.

MORGAN said he hasn’t heard any requests from the public to extend the Shared Use Route into the wetland buffer area as a boardwalk, and asked is it possible to take it out of the proposal entirely. Sloman said it is required by the CIP. BRENNAN noted the CIP is being amended now, and it’s possible that it could be changed to allow it to be eliminated. Sloman said she agrees that no one seems committed to having it built now, but preserving the ability to build it in the future is probably something the City wants to retain for now. She said we might have more of an issue with it if it were a condition, but that is not the case. She referred to the work plan that Niven mentioned in his remarks earlier in the meeting, and explained the arrival of the City’s new Parks Department Director will mean that the City can re-examine this and similar questions. She spoke in favor of keeping the ability to decide whether a boardwalk is the right connection by maintaining the ability to move forward or not based on a more comprehensive examination of what the City needs.

MORGAN suggested maybe a sentence could be added to condition 9 to indicate that if a trail is no longer required by the Central Issaquah Plan, this easement would no longer be needed. Sloman that would be possible. PRICE asked if the requirement for an easement was eliminated, what would become of that space. Is it a wetland, and what are its potential uses, he asked. Tarce replied it would remain private property, and would be the responsibility of the property owner, so the City could not build on it. PRICE asked could it be landscaped, such as for a play area. Tarce and Sloman clarified on a diagram that the area where a boardwalk is proposed is shown in green, and is not in the wetland. Sloman said if the easement was released and the City did not require

Development Commission
9-7-16

building the boardwalk, the property owner would have the opportunity to consider the property for another permitted use.

Commission Decision

MOVED BY MORGAN, SECONDED BY BRENNAN that the Development Commission approve the Site Development Permit for the project known as Riva Townhomes, File No. SDP15-00004, with plans and technical reports received on October 16, 2015 through February 26, 2016; Staff Report dated March 3, 2016 with Attachments 1-17; Briefing Response Memo dated March 30, 2016 with Attachments 1-9, and Briefing Response Memo dated August 31, 2016 with Attachments 1-3 and Exhibits 1-4, subject to the conditions of the Staff Report dated March 3, 2016, as revised in the Briefing Response Memo dated July 31, 2016, and as amended at tonight's meeting.

MOVED BY MORGAN, SECONDED BY BAKH to amend condition 9 by adding a new sentence as the last sentence of the condition, as follows: "If it is determined that the Shared Use Route is no longer required, the easement may be eliminated." MOTION CARRIED BY THE UNANIMOUS VOTE OF ALL DEVELOPMENT COMMISSIONERS PRESENT.

MAIN MOTION CARRIED BY THE MAJORITY VOTE OF ALL DEVELOPMENT COMMISSIONERS PRESENT (BAKH, Alt., voted in the minority).

MOVED BY BRENNAN, SECONDED BY HARRISON that the Development Commission direct the Development Services Department to prepare the Findings of Fact and Conclusions which affirm the Development Commission's decision to approve the Site Development Permit for Riva Townhomes, File No. SDP15-00004, with plans and technical reports received on October 16, 2015 through February 26, 2016; Staff Report dated March 3, 2016 with Attachments 1-17; Briefing Response Memo dated March 30, 2016 with Attachments 1-9, and Briefing Response Memo dated August 31, 2016 with Attachments 1-3 and Exhibits 1-4, subject to the conditions of the Staff Report dated March 3, 2016, as revised in the Briefing Response Memo dated July 31, 2016, and as amended at tonight's meeting. MOTION CARRIED BY THE MAJORITY VOTE OF ALL DEVELOPMENT COMMISSIONERS PRESENT (BAKH, Alt., voted in the minority).

OTHER BUSINESS/ANNOUNCEMENTS/ADJOURNMENT

SOWA commented that although some of the feedback and comments the Development Commission hears is out of its purview, it is welcome and valuable. We appreciate hearing from the public, he continued, and when comments are given at Development Commission meetings, staff has the opportunity to hear the comments as well.

Sloman noted the next Development Commission meeting is scheduled for September 21, 2016.

With no further business to conduct, SOWA adjourned the meeting at 9:35 PM.

Respectfully submitted,

Susan Lowe
Recording Secretary

(Note: Alternate Member(s) participated in decisions at tonight's meeting but cast advisory votes only, as there was a quorum of Regular Members present.)