

Development Commission  
10-19-16

**CITY OF ISSAQUAH  
DEVELOPMENT COMMISSION  
MINUTES  
October 19, 2016**

City Hall South  
Council Chambers

135 E. Sunset Way  
Issaquah, WA 98027

**COMMISSIONERS PRESENT**

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

**STAFF PRESENT**

Mike Martin, Associate Planner  
Lucy Sloman, Land Development Manager

**APPLICANTS/OTHERS PRESENT**

John Shaw, American Classic Homes  
Brian Palidar, GroupArchitect  
Kyle Weeks, American Classic Homes

**CALL TO ORDER**

SOWA, Chair, called the meeting to order at 7:01 PM. He outlined how the public hearing on the Issaquah Apartments application will proceed, including the opportunity to give public comment.

**APPROVAL OF MINUTES**

MOVED BY MORGAN, SECONDED BY HARRISON that minutes of the Development Commission meeting on September 28, 2016 be approved as presented. MOTION CARRIED UNANIMOUSLY.

**PUBLIC HEARING: Issaquah Apartments, Site Development Permit, SDP16-00005**

**Request approval of a Site Development Permit for a 110-unit, five-story apartment building on 1.24 acres, to include two community roof decks, resident lounge, ground level court for residents, and 112 parking spaces, located at 955 7th Ave. NW.**

**Staff/Applicant Presentation**

Sloman began staff's presentation by explaining that tonight's public hearing is a quasi-judicial matter on an application for development in the central Issaquah area. She asked all Commissioners whether they could answer "no" to a series of questions about any reasons why Commissioners could not be fair and impartial (procedural due process and substantive due process), or had had any ex parte communications on this application. All Commissioners replied "no" to all questions. There were no objections to Commissioners' participation from any persons in the audience.

Martin continued staff's presentation, and said staff and the applicant are anticipating that the Commission will feel comfortable making a decision on this application tonight. He gave information about the meetings and hearings held to review this project to date, and noted the project is vested under the moratorium the City Council is considering now. He added no appeal was filed for the SEPA filed on this project and staff will proceed with issuing the final SEPA. He gave a quick summary of the project, and said tonight he and the applicant will jointly present the responses in the Staff Briefing Memo.

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Martin began with the issues and staff's response on Response 1, Construction Management and Public Safety (page 15 of 64). Kyle Weeks, American Classic Homes, continued the response by giving the developer's plans to address the issues. He referred to the required Construction Management Plan that the developer will submit to the Development Services Department as part of the Site Work Permit.

Weeks continued with details about Response 7, Materials Hauling (page 32 of 64), specifically how truck traffic will be minimized and managed. He said truck traffic will be coordinated with other construction projects going on simultaneously in this area. He showed a proposed haul route plan, which will be reviewed during the Site Work Permit process. Martin added the Construction Management Plan is a dynamic plan that is reviewed weekly and monthly throughout the development process to make sure issues are being addressed. He referred to the City's ability for a new SEPA review to be required if "hauling exceeds estimated levels and 'significant' impacts are created."

Martin continued with Response 2, Parking, and noted that the proposal meets the City's code requirements. John Shaw, American Classic Homes, said we have always considered this site as a Transit Oriented Development (TOD) project, and gave some comparison data with other projects in the area. He said we have tried to focus on a multi-modal approach, and noted the ways the project is encouraging multi-modal usage, including free parking for residents, an emphasis on bicycle storage and usage, a designated ride-share area in the lobby, and so on.

Martin continued with Response 3, Tree Retention/Density. He explained the new condition 18 that staff is recommending as part of the application, which would require the developer to submit a feasibility report prepared by a certified arborist to determine whether relocating existing street trees into the newly constructed planter strip along 7th NW is feasible. He noted the proposal for full tree removal would require an Administrative Adjustment of Standards (AAS), as described on page 19 of 64. Shaw noted as a resident, he has heard the public's concerns "loud and clear" on this issue, and in response the project team has taken several steps. He continued examples include adding trees to the rooftop; ensuring a ground-level experience of trees; adding deciduous trees along the perimeter; and looking at landscaping alternatives for walls that offer more "pizzazz." He continued with the plans to keep and relocate street trees where possible. He said we also plan to reach out to a local millworker to reuse lumber from the site for benches, placards, and so on, and to work with a local gardener who is interested in saving a particular strain of apples from a tree on the property.

Martin continued with Response 4, Traffic (page 21 of 64). He explained how a Traffic Impact Analysis is used as part of the Site Development Permit review process, and how the application meets the City's adopted Level of Service and concurrency standards. He continued with an explanation of the concerns expressed about the intersection at 7th and Juniper. He showed a diagram of the intersection, and said while it is not a requirement of this project to address this intersection, the Public Works Department will look at it during the Site Development Permit review to see whether any crosswalk or other improvements can be made there. He continued with an explanation of the site distance concerns that have been expressed and how wear and tear on the roadway from truck traffic will be addressed.

On Response 5, Building Design, Martin said the concerns expressed at the last meeting fall into three broad areas: (1) blank walls, (2) the building entrance associated with the Juniper Trail, and (3) the building design's inconsistency with the City's code, leading to three additional options for the Commission's review tonight. Brian Palidar, project architect, explained the applicant team's proposal to address the blank walls concern, including adding a window,

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greenscaping, introducing new materials to break up plain walls, adding clerestory-type windows, new detailing on walls in the interior court, changes to the east entrance such as a canopy, additional detailing and scoring, changes in landscaping, and so on. He said the intention of the design is to “green the building up,” and that is the direction the proposal is going. He continued with the options for the corner design, including the original proposal and three options (Option B, Option C1, and Option C2), as pictured on pages 27 and 28 of 64, noting that portions of some of the options would require an AAS. He said the applicant team continues to think the original option is the best design and the best solution for this project. He gave more information about each of the other three options and displayed drawings of each.

Martin continued his presentation on Response 6, Affordable Housing (page 31 of 64), and noted the project complies with adopted code requirements of the Density Bonus Program, and staff is not recommending any new conditions. He continued with Response 8, Signage; and Response 9, which addresses a variety of other issues including garbage and recycling, the version of the King County Surface Water Design Manual that will be used, school bus stops, the lack of mixed-use development, City and regional growth, and the use of pavers on the Juniper Trail. He noted staff is recommending a change to Condition 7, which would eliminate use of pavers as a materials choice for the Juniper Trail.

### **Public Comment**

SOWA opened the meeting for public comment at 7:53 PM.

Ron Faul, 520 Mt. Park Blvd. SW, Issaquah, said he thinks this is a wonderful looking building and a good design. He continued with other features he likes, including adequate bike parking and large sheltered areas for protection from the rain. He made several suggestions for the applicant to consider, including the use of security cameras, shopping cart storage, plenty of covered shelters for bus commuters, possible issues with the use of synthetic wood, regular window washing, and whether the trees in front have a large enough footprint for them to grow.

Connie Marsh, business owner at 1175 NW Gilman Blvd., Suite B-11, and Issaquah resident, read the City’s definition of “transit oriented development” and said she doesn’t think this project can be classified as TOD. She said her concern is that the affordable housing being offered is not conducive to someone who doesn’t own a car, and described the difficulty someone would have accessing transit without a car from this residence. She said she agrees with Mr. Faul that it is important to provide places that are dry, convenient and safe for people to use transit. She said the color palette, in her opinion, doesn’t reflect the natural colors of the Northwest environment, and said colors should echo nature and not stand out in a stridently clashing way. She said she was glad to see the trees being moved to the edge of the property so people living on the ground level can enjoy them and said she likes the vertical vegetation and evergreens that are planned. She said she would like to see views maximized from the rooftop perspective, which seems to be missing, and said there should not be a fence on the Juniper side because it would not be a welcoming or pedestrian-friendly presence.

Annette Treager, 710 7th Ave., Issaquah, said she walks the Juniper Trail every day, and spoke about her concern for people with disabilities and the elderly to continue to use the trail while construction is taking place. She also spoke about her concerns with construction worker parking, and noted that the experience with Atlas Apartments has been a problem. She said she would like to see the haul route be completely restricted to Gilman, and not use Juniper at all.

Mary Lynch, 2690 Oakcrest Drive NW, Issaquah, said the applicant has done a good job of addressing comments. She expressed concern about not digging down and filling in this land,

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and gave her recollection of how nearby properties were flooded for years after the Safeway was built. She said she hopes the stormwater management plan will work and not cause flooding because there will be a lot of stormwater coming off the property. She expressed concern about the truck traffic that the project will create and said streets will likely have to be closed off temporarily for deliveries and so on. She said the City needs to plan for the safety of school children and others who will need to access these streets, and said the City seems to be taking an “ostrich” approach in dealing with school bus stops. She said she understands that school bus stops change when conditions change, and asked where will 50, 60 or 100 students be able to stand and wait for schools buses and not have an impact on the neighborhood. She said she would like to see the City look globally at walking paths and connections between walking paths, and address that in the Central Issaquah Plan specifically. She referred to problems with truck wheel-washing on the Gateway project, as well as street sweeping, and said both created problems with dirt and some near-accidents. She also noted that construction workers smoking on breaks is a problem for residents, who must put up with not just noise and dirt but cigarette smoke as well. Lastly, she questioned the reduced impact fee the applicant is being required to pay for building the trail. She said public funds, tax dollars, built that trail, and it is still in good shape. To give the developer credit for rebuilding it is wasting our tax dollars.

Steve Pereira, 170 NE Dogwood, Issaquah, named several features of the project that he likes. He expressed concern about crosswalks on the adjacent streets, and asked why is this project being approved before crosswalks are fully addressed. He said he has heard repeatedly that features of the project will be approved because they meet the City’s code, or will meet it with an AAS, and said the Development Commission has a wider scope of authority than to just approve something because it meets code. He said he dislikes the number of trees being proposed for removal and the effect on the City’s 50-percent canopy goal. He said he is asking the Commission to say more than just “yes, it meets code” in reviewing this project.

Hearing no additional requests to speak, SOWA closed public comment at 8:15 PM. He asked the applicant team whether they would like to address any of the comments made during public comment.

Weeks said the project does intend to include the use of security cameras as part of our standard procedure. He continued we are happy to look into shopping cart storage and covered bus stops. He said the wood material referred to is a prodema, epoxy-based material that is very durable, and noted that samples were available at the last meeting. He said we are proposing the color palette we proposed at the last meeting, and are pleased with the choices we have made, but are open to suggestion. Shaw noted we want this project to appear “better than Atlas.” That is one of our goals, and we have put a lot of time and effort into doing it right. Weeks continued we think we have maximized the rooftop views. Shaw said we will look into vertical evergreen plantings, and clarified that no fences are planned for the Juniper side of the property. Weeks noted we fully understand that people with disabilities need to use the trail, and we will use an ADA ramp, flaggers, and so on during construction to ensure safe access. Shaw noted we are working with a great general contractor, and we are confident that we can work out and refine construction worker parking and a haul route plan with them. Weeks noted other concerns raised tonight will be addressed in the Construction Management Plan.

Martin said staff shares the concern about construction worker parking, and said if adequate parking can’t be accommodated onsite, the applicant will have to demonstrate where parking will take place offsite. In any case, construction worker parking will not be on public streets. He said it is somewhat premature to nail down that kind of construction detail now as it is more appropriately addressed in the Construction Management Plan. He continued to address the

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comment made about approving projects that meet City code. The City is bound to process these permits in a fair manner using the tools it has available, namely the City's code and the law, he stated. To act otherwise would place the City in a state of liability. He said the staff is here to try to get the best developments for the City and to offset development impacts in ways that contribute to the community's good. Lastly, he said he will take the impact fee credit comment into account when that issue is addressed.

Sloman added the City's code says that the community space wall on the main level must be architecturally integrated and designed in a similar fashion to adjacent walls. She continued the materials proposed are distinctly different from all other walls, so the treatment needs to pull features from the other walls to create architectural integration and reference the rest of the building. She referred to the City's code 15.3.C, in the structured parking standards.

### **Commissioner Discussion**

BRENNAN asked if a temporary sidewalk is going to be created across from the project, why not just do it at the beginning of the project. Weeks noted there is no sidewalk there now, and to create a temporary sidewalk would mean having to use up street parking to do so. The intent was to lessen the impact on street parking, he continued. He continued we will work with the City to work out an appropriate solution. GINTHNER noted a Goodwill drop-off and At Work recycling center will also have to be accommodated; this is a very busy location.

LEONG asked clarifying questions about truck route A and B, and asked whether a single route in and out of the site would be possible. That would cut down on neighborhood disturbance, he noted, as well as wear and tear. Jin Lee, Exxel Pacific, said the concept used was to require trucks to make right-hand turns only, for safety reasons. We can examine using a two-way transport route, he continued, but we proposed what we thought was the simplest and safest routing. LEONG clarified that there are no restrictions on making left-hand turns. Lee replied that is correct. LEONG suggested the applicant work with staff on considering a single in-and-out route. HARRISON noted it may not be physically possible for a double-truck to get out of the site with a left-hand turn. Lee replied we have not done an actual trial yet. HARRISON noted this is a small residential street. Weeks said we are proposing the use of single trucks only, with an option for a truck and trailer in order to address concerns about the quantity of truck traffic. Sloman noted the truck traffic would flow through site, not turn around in it, and explained how it would work.

LEONG asked about the wheel-washing station comment made during public comment. Martin said the contractor is required to have a wheel-washing station as well as a street sweeper.

HARRISON referred to the comment made about the wood product material proposed, and noted that problems with a composite materials used in the Highlands resulted in a change in the City's code. Sloman said the material being proposed for the Issaquah Apartments is not the same material as was used in the Highlands. HARRISON said he is aware of several examples of multi-family complexes in the City that are very compatible in terms of colors and materials, and that do have a contemporary Northwest appearance. He said it is beyond the Development Commission's purview, but he does think the suggestion to give more attention to covered bus stops is excellent. People will not stand out in the rain for buses, he said, and not providing that kind of protection won't get us where we want to go on that issue.

PRICE thanked the applicant for presenting alternatives to the original option for the corner building treatment. He spoke in favor of option C1, which is code compliant, but said all options do a good job of addressing it. He said he likes Option C1 because it seems to do the best job

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of diminishing the scale of the corner. Martin noted both Options C1 and C2 are code compliant; the original proposal and option B require an AAS. MORGAN said his preference is Option B. He said in his opinion it does the best job of treating and breaking up the corner massing of the building. LEONG asked about the treatment at the other end of the building. Palidar explained there will be similar modulation at the other end of the building; those images were presented at the last meeting. Palidar confirmed that in Option B, the two lower bands are not brick, but rather are a synthetic material also used in the original proposal.

HARRISON said he would like to compliment staff, the applicant and the public on the process used in reviewing this project. This is how it is supposed to work, he said. The public has made significant contributions to the project, and the applicant has been diligent in responding to comments. LEONG agreed. He said he appreciates the way the options have been presented. He said he still has some concerns about the blank wall on the parking garage, and thinks something more needs to be done there.

SOWA suggested the Commission close its discussion on the design options. He noted that options C1 and C2 do not require an AAS. Sloman said an AAS is not a problem if the Commission believes that it is needed to accomplish the best possible outcome. BRENNAN said the Commission has the latitude to use the AAS as a tool, and gave his perspective on the options. He said he likes the geometry of Option B best from a design standpoint. He said he also thinks Option B gives the most privacy to rooftop units. PRICE said that's a good point, and said he can support Option B. LEONG said his personal preference is Option C2, but can support Option B.

SOWA asked whether there was general consensus that the Commission supports Option B. All Commissioners agreed.

LEONG continued his comments about ways to soften the concrete blank wall of the parking garage. Palidar said the design has tried to address that, both with the surface of the wall and greenscaping. He showed depictions of how the landscaping will soften the look of the wall. BAKH asked whether it would be possible to use material from either end of the building on that wall. Palidar replied that is possible. He continued one of the mandates in the zoning regulations is to break up the mass of the building. We intentionally tried to offset the bulk of the building by breaking up its scale, setting it back, and using "bookends" around the courtyard. BAKH asked could the bottom and top floors match. Palidar said that is an option.

PRICE said he generally agrees with the treatment of the walls and asked are there any plans to use lighting as well. Palidar showed where wall scones are planned and where there are opportunities to use uplighting of landscaping elements.

MORGAN said he is concerned about landscaping being used to disguise a blank wall because landscaping can die or fail to thrive. He said this appears to look like a fairly long section of wall, and if it is grey concrete it could end up looking like a garage. Perhaps a colored concrete, or some scoring, could be used, he suggested. Palidar said we can look at that, possibly using a pattern that is used elsewhere. He said greenscaping does take some time to grow in, and we can look at adding a detail element as you have suggested. MORGAN asked staff about using an additional building element. Sloman replied using an additional building element is not the only option; your suggestion of potentially staining the concrete, or picking up on rhythms from adjacent walls with similar scoring, could also be ways of meeting the intent of the code.

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HARRISON said developers are typically responsible for ensuring the landscape thrives for three years, but after that, can the City monitor the landscaping and ask the developer to take action if it fails to perform. Sloman explained the bonds the City uses with developers. She said it is unlikely the City would get involved if, say, a vine died; City intervention would be reserved for extreme circumstances. She added the City's code emphasizes the use of architectural approaches that do not have an over-reliance on landscaping but rather use landscaping to complement architecture.

The Commissioners continued to discuss possible approaches to treating the wall in addition to landscaping, including texturing, staining, and scoring. SOWA noted the consensus seems to be that the landscaping and treatment as proposed is not adequate. Commissioners agreed.

BRENNAN asked about the loss of trees on site, and where evergreens and conifers will be added. Roby Snow, project landscape architect, showed on a diagram where deciduous trees are planned, which will be alternated with evergreens. He described the courtyard as having Hollywood junipers that will help screen and buffer the parking garage wall. He described the trees and landscaping, including redwoods along the streams and Eddie's white wonder, which are signature trees. He noted the plan addresses comments made at the last meeting by adding more trees on the rooftop and terrace.

### **Commissioner Decision**

MOVED BY MORGAN, SECONDED BY BRENNAN that the Development Commission approve the Site Development Permit for the Issaquah Apartments project, file number SDP16-00005, as described and evaluated in the Staff Report dated September 21, 2016 with Attachments 1-9, Briefing Response Memo, dated October 13, 2016 with Attachments 1-4, and project drawings and reports received September 7, 2016 and all subsequent submittals up to October 19, 2016; and subject to the conditions therein and as amended, as follows:

- Revised Condition 13: The elevations will be designed as shown in Option B of the Joint Presentation, and per the AAS as provided in Attachment 3 of the Briefing Response Memo, dated October 13, 2016.
- Revised Condition 15: The western wall of the courtyard will use varied textures, green screens and architectural elements to integrate the wall into the building and complement the Community Space. Architectural elements would include patterns and materials and/or scoring referencing the adjacent walls as well as color such as stain. Final design will be approved by staff in consultation with the Development Commission Chair.

MOTION CARRIED UNANIMOUSLY.

MOVED BY BRENNAN, SECONDED BY PRICE that the Development Commission direct the Development Services Department to prepare Findings of Fact and conclusions for review and approval by the Development Commission Chair, affirming the Development Commission's decision to approve the Issaquah Apartments project, file number SDP16-00005, subject to the conditions listed in the Staff Report dated September 21, 2016 with Attachments 1-9, Briefing Response Memo, dated October 13, 2016, with Attachments 1-4, and project drawings and reports received September 7, 2016 and all subsequent submittals up to October 19, 2016, and subject to the conditions therein and as amended tonight.

MOTION CARRIED UNANIMOUSLY.

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**OTHER BUSINESS/ANNOUNCEMENTS/ADJOURNMENT**

Sloman noted the next Development Commission meeting will be November 2, 2016, when the Inneswood Apartments will be discussed. With no further business to conduct, SOWA adjourned the meeting at 9:24 PM.

Respectfully submitted,

Susan Lowe  
Recording Secretary

*(Note: Alternate Members participated in, but did not vote on, decisions at tonight's meeting as there was a quorum of Regular Members present.)*