

Development Commission
12-7-16

**CITY OF ISSAQUAH
DEVELOPMENT COMMISSION
MINUTES**

December 7, 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
Robert Bakh, Alt.
Carl Swedberg, Alt.

STAFF PRESENT

Amy Tarce, Senior Planner
Lucy Sloman, Land Development Manager
Doug Schlepp, Project Engineer/Consultant

APPLICANTS/OTHERS PRESENT

Robert Wenzl, Property Owner/Applicant
Rick Tolleshaugh, Milbrandt Architects

CALL TO ORDER

SOWA, Chair, called the meeting to order at 7:03 PM.

APPROVAL OF MINUTES

MOVED BY BAKH, SECONDED BY MORGAN that minutes of the Development Commission meeting on November 2, 2016 be approved as presented. MOTION CARRIED UNANIMOUSLY.

PUBLIC HEARING: Inneswood Multi-Family Site Development Permit, SDP16-00006

Lucy 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.

Amy Tarce continued staff's presentation, noting that tonight's meeting is the second part of a two-part public hearing on the Inneswood Multi-Family Site Development Permit. She described what was discussed at the first meeting on November 2, and said tonight's meeting will focus on questions that were raised at that meeting and follow-up items for which information was not available then. She gave a brief overview of the proposed Inneswood Apartments project, and showed drawings and maps of the proposed project. She said the remainder of her presentation will focus on questions raised at the last meeting on the tree retention requirement and steep slopes analysis, building design, and Newport Way improvements, as addressed in the Briefing Response Memo. She displayed drawings of the initial design, revised design, and latest design submitted by the applicant in response to issues raised at the first meeting and in discussions with the City. She explained how the latest design submittals have resulted in staff's recommendation to delete conditions 21, 22 and 27, and add new conditions 26, 28, and 29 (page 42-43 of 172). She also gave staff's perspective on the applicant's color choices and "Northwest" style of architecture for the project.

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She continued her presentation on how the proposed Newport Way improvements fit into the Transportation Element of the City's Comprehensive Plan; pedestrian and bike facilities, including crosswalks, the proposed roundabout, traffic calming mechanisms, and restrictions on allowing bikes on sidewalks; parkway adjustment of standards; pedestrian safety concerns, particularly safe routes to Issaquah Valley Elementary School; retaining wall terracing, as referenced in condition 6; waste collection issues, addressed by adding a new condition 28 and clarifying a right-hand-only turn shown in project drawings; circulation in the garage; and fire department access, resulting in new construction condition 24. She concluded staff has concluded that the proposed project complies with all the pertinent City standards, with the conditions just described.

Staff/Applicant Presentation

Robert Wenzl, Milbrandt Architects, noted his firm has been working with the City for several years on this proposed project, and complimented City staff for their work. He said he believes his team has done a good job in responding to concerns raised by the Commission, the public, and staff, and the result is an improved project for the entire community.

Public Comment

SOWA opened the meeting for public comment at 7:42 PM.

David Kappler, 255 NW Andrews St., Issaquah, asked for the map of the public trail to be displayed while he made his comments. He said tonight he is representing the Issaquah Alps Trails Club, and expressed concern about inadequate standards for the trail. He said the proposal contains minimal language that supports the trail, and needs a lot more information about what will be required to make it a safe, well-managed trail. He noted the trail will be permanent, not temporary. At three feet, the width of the trail is inadequate, and the surface is specified only as "soft surface" and should be more specific, such as mineral soil. Will bikes be allowed on this trail, he asked. He also expressed concern about the design of the trail, and the lack of specification about average and maximum grade. He also expressed concern about the long-term maintenance of the trail, specifically who will be responsible. Lastly, he said the City needs to reduce hauling for this project as much as possible, noting that the use of fine materials will produce a lot of dust that will end up as sedimentation in nearby water bodies and as mud.

Steve Pereira, 170 NE Dogwood, Issaquah, commented on the treescape planned for the front of the complex, and noted that when the deciduous trees planned there lose their leaves, they won't have the carbon-absorbing properties or screening that evergreens would. He also expressed concern about tree retention, including the loss of critical wildlife habitat along with the removal of trees.

Mary Lynch, 2690 Oakcrest Drive, Issaquah, expressed concern about how stormwater from this project will likely flow into Issaquah Creek; the loss of a major wildlife corridor by which deer, bear, bobcats, and other animals get to Issaquah Creek; drainage issues with the trail itself, which could create another stream running downhill; and building the public trail to US Forest Service standards. She gave her views on how traffic will be negatively impacted by this project, especially during the AM peak hours, and how the project's traffic study doesn't take AM as well as PM peak hour issues into consideration. She referred to standards for multi-modal, pedestrian-centric traffic circles and said the City should be using those. She expressed concern about the safety of kids who will walk to school in this area. Lastly, she said she doesn't think the mustard color proposed for the project is appropriate and doesn't reflect the Northwest.

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Connie Marsh, business owner at 1175 N.W. Gilman Blvd., Suite B-11, Issaquah, and Issaquah resident, said the applicant has indicated the originally presented color choice has been modified, but it still looks like a mustard color to her. She gave her perspective on the public's view of problems with roads, traffic, dead wildlife, flooding, and so on created by these kinds of projects, and said staff seems to just look at the code and see what is allowed. So the two realities are different, she continued, and the public continues to try to provide another perspective for staff. Our concerns are constantly flung against the code and the rules, and we continue to see that decisions are being made that will impact our community negatively. We are trying to create a town that is wonderful, and instead all we hear is that we need to come up with conditions on projects that will lessen the negative impact of these projects. She continued with her views on what the public sees as negative impacts on traffic, water, wildlife, and trees, and said yet we call ourselves a green community. The rules need to be changed to fit our community more holistically if we are going to get what we want in terms of a wonderful town. She said she hopes the Commission remembers these frustrations when the Land Use Code and Comprehensive Plan are next modified.

SOWA said the Commission appreciates hearing from the community, and that the City's projects are better as a result of these kinds of comments. Hearing no additional requests to speak, he closed public comment at 8:01 PM.

Commissioner Discussion

Tarce briefly affirmed that the Park Department will use US Forest Service standards for the public trail, which includes the use of a mineral soil surface.

LEONG asked clarifying questions about how garbage is picked up in developments south of Newport Way. Tarce said it depends; basically they have a centralized pick-up area with dumpsters. LEONG said so pick-up is not along Newport Way. Tarce replied correct.

LEONG expressed his concern that the shared bike lane and pedestrian walkway is confusing, because in places bikes will be on the road and in other places on the pedestrian walkway. He said in his opinion, it is safer for bicycles to have lanes that are just for bicyclists. HARRISON referred to a state ruling that the City cannot prohibit bicyclists from using the sidewalk. Tarce confirmed that is correct. Sloman said Public Works Engineering's (PWE's) position is that removing bike lanes from roundabouts is a best practice and complies with state standards. MORGAN said as a pedestrian and bicyclist, he thinks it is more dangerous to force bicyclists into a roundabout that is also being used by vehicles. It is a 10-foot-wide shared trail, he added. Sloman agreed, and said commuting bicyclists tend to stay in the commuting lane because they don't want to slow down, whereas less aggressive bicyclists will feel more comfortable using the shared lane. She said she is happy to bring Mary Lynch's resources PWE's attention, but at this point in time staff is deferring to PWE's determination of best practices. LEONG asked about the feasibility of moving the sidewalk, possibly having a separate bike lane and sidewalk. Tarce explained the physical restrictions of the site.

BRENNAN said on page 31 of 172, the text refers to a retaining wall that is blank. Is that the entry to the 86-unit building, he asked. Tarce replied yes. BRENNAN said the proposal includes an Administrative Adjustment of Standards to allow the wall to go up to 15 feet, but doesn't speak to the treatment of the wall. Tarce replied the City has standards in place that require retaining walls be treated as an art wall or provided with landscaping. So the direction to the applicant is already in the City's code, and the City only asks for conditions when asking for something very specific.

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HARRISON asked for more information on the how the steep slope is being addressed from a seismic perspective. Brian Beaman, Icicle Creek Engineers, Carnation, explained how standards from USGS, seismic analysis, and peer review are all used to affirm how seismic activity is addressed in this project. He described how the top-down construction of a soil nail wall will work, and noted that way the slope is being reinforced as the wall is being built.

MORGAN asked on age 27 of 172, can the driveway width can be adjusted to 22 feet and still be within code. Tarce replied yes. MORGAN said his feeling is that the driveway is already narrow, and described several hypothetical situations in which safety could be compromised by a too-narrow driveway. Sloman referred to PWE's inclusion of a center stripe on the driveway, which is intended to get cars to stay on their side of the driveway.

LEONG asked clarifying questions about the visibility of the garbage/trash doors, particularly to motorists coming down Newport Way. He asked whether the receptacles will be garbage/trash bins or dumpsters, and whether a canopy to help screen the doors is a possibility. Tarce showed a site diagram and noted the area will be screened, and already has a horizontal cover. Wenzl showed how far vehicles will have to drive down the street before the building is visible. LEONG said his concern is the doors' visibility, and asked for more details about how garbage trucks will maneuver within the site. He said his overall concern is how visible the garbage area will be when driving up Newport Way, and being able to see an open driveway and possibly open doors.

Rick Tolleshaugh, Milbrandt Architects, clarified that a canopy is not possible because of the need for clearance so that containers can be emptied. LEONG asked about a trellis. Tolleshaugh said condition 28 speaks to including screening, and described his vision for a screen that is parallel to the sidewalk, perhaps in an L shape. He also showed on a diagram how garbage trucks will use the driveway and site to pick up containers and exit the site. HARRISON noted the drawing also shows a landmark sign there. Tarce clarified no signs have yet been approved for this project. MORGAN said perhaps the applicant could look at the use of overlapping doors to make sure they are blocking views as much as possible.

SWEDBERG asked about the question raised in public comment about who will be responsible for maintaining the public trail. Schlepp replied the uppermost section of the trail will be constructed and maintained by Inneswood Estates, and the other section will be constructed and maintained by the Inneswood Apartments developer. Tarce and Sloman showed a conceptual drawing of the trail, noting that the exact routing is still under development.

HARRISON noted that the project's inclusion of "improvements to Newport Way" will create a situation where Newport goes from three lanes at the intersection near Target to Sunset, then two lanes going south from there to the hatchery, near Front Street. He questioned whether changing from three lanes to two lanes will create problems. Schlepp referred to PWE's overall traffic improvement plan for Newport Way, and said with this project we are focused on just the three-lane section. HARRISON said his concern is that in taking an incremental approach, we are creating a kind of "pig in a pipeline" situation that will not really allow traffic to move any more efficiently between SR 900 and Issaquah-Hobart Road. Schlepp said it is not ideal to expand capacity in one segment only, but PWE does have a schedule for improvements along Newport, and this may be an impetus for the City Council to accelerate the improvement schedule on other segments. Once this work gets done, in his opinion there will be an increased desire to see the other segments also get finished, he added.

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HARRISON asked clarifying questions about the use of developer impact fees. He said he understands that PWE and the Department of Development Services have separate areas of expertise and responsibilities on these projects, but from the public's perspective they are all being done by the City. How critical are impact fees to getting these roadway improvement projects done. Schlepp said that is not his area of expertise, but impact fees do cover some roadway projects, such as the improvements from Maple to Sunset. He referred to a list of roadway projects that the City intends to complete by 2030, at which time the City expects to have a new level of service for accepting new traffic impact fees.

HARRISON said he wishes that recent projects, including Inneswood Apartments, reflected more of a specific Northwest design. This project could be located almost anywhere in the US, he continued, and said he thinks the City is missing an opportunity to create new buildings that are more specific to the Northwest. Sloman said right now, the City does not have standards for style, colors, and so on in the way you are referencing, and the City has included architectural design and review in its list of items to consider during the upcoming building moratorium.

Wenzl commented that the applicant team did look at tree retention and how to preserve more trees than is required by code. He also said he would like to see a condition placed on the construction of the trail to US Forest Service standards, and noted it is our intent to keep as much vegetation as possible and construct it by hand rather than machine wherever possible.

Commissioner Decision

MOVED BY MORGAN, SECONDED BY BRENNAN that the Development Commission approve the Site Development Permit for the Inneswood Apartments project, file number SDP16-00006, as described and evaluated in the Staff Report dated October 26, 2016 with Attachments 1-8, Exhibits 1-5, and project drawings and reports received between September 6, 2016 to October 25, 2016; Briefing Response Memo dated November 30, 2016 with Attachments 1-7 and Exhibits 1-12, and subject to the conditions therein.

MOVED BY MORGAN, SECONDED BY BRENNAN that condition 10 be changed to, "The 86-unit building driveway width shall be reduced to 20 22 feet with concrete wings and rolled curbs to accommodate the required turning radius for garbage trucks and fire trucks. For the 7-unit building, the driveway curb cut shall be minimized to 20 22 feet." MOTION CARRIED UNANIMOUSLY.

MOVED BY MORGAN, SECONDED BY BRENNAN that condition 5 be revised to add, "The trail will be a forest path and shall comply with US Forest Service standard specifications for construction of trails, with Park Department approval." MOTION CARRIED UNANIMOUSLY.

MOVED BY LEONG, SECONDED BY BRENNAN that condition 28 be changed to read, "The dumpster enclosure, including the parking pad for the waste collection vehicles, shall be screened from Newport Way by a wall as well as other techniques, at a height that can effectively screen the doors and the parking pad while allowing for waste collection functionality. The screening shall be designed to enhance the pedestrian realm and be harmonious in architectural style, materials, and scale with the building. Enclosure doors will be 100 percent obscuring." MOTION CARRIED UNANIMOUSLY.

MAIN MOTION AS AMENDED CARRIED BY UNANIMOUS VOTE OF ALL COMMISSIONERS PRESENT.

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MOVED BY BRENNAN, SECONDED BY HARRISON 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 Inneswood Apartments project, file number SDP16-00006, based on the Staff Report dated October 26, 2016 with Attachments 1-8, Exhibits 1-5, and project drawings and reports received between September 6, 2016 to October 25, 2016; Briefing Response Memo dated November 30, 2016 with Attachments 1-7 and Exhibits 1-12, and subject to the conditions therein and as amended tonight. MOTION CARRIED UNANIMOUSLY.

OTHER BUSINESS/ANNOUNCEMENTS/ADJOURNMENT

Sloman briefly described two projects that are expected to come to the Commission for review in 2017. With no further business to conduct, SOWA adjourned the meeting at 9:14 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.)