

Development Commission
4-19-17

**CITY OF ISSAQUAH
DEVELOPMENT COMMISSION
MINUTES
April 19, 2017**

City Hall South
Council Chambers

135 E. Sunset Way
Issaquah, WA 98027

COMMISSIONERS PRESENT

Richard Sowa, Chair
Mel Morgan, Jr., Vice Chair
Randy Harrison
Raymond Leong

STAFF PRESENT

Christopher Wright, Project Oversight Manager
Keith Niven, Economic and Dev. Serv. Director

OTHERS PRESENT

Greg Krabbe, Windward Real Estate
Brad Lincoln, Gibson Traffic Consultants

CALL TO ORDER

SOWA, Chair, called the meeting to order at 6:32 PM. He explained how those wanting to provide comments can track their own speaking time from the dais, and said comments should be limited to five minutes.

APPROVAL OF MINUTES

MOVED BY MORGAN, SECONDED BY LEONG that minutes of the Development Commission meeting on April 5, 2017 be approved as presented. MOTION CARRIED UNANIMOUSLY.

PUBLIC HEARING: Windward/Bergsma Clustered Housing Development Agreement Requesting a recommendation to City Council on File No. DA16-00001, an application for a Development Agreement to build a clustered housing development of up to a maximum equivalent of 78 single-family homes on about 45.63 acres located at 1763 Newport Way NW, Issaquah.

Staff Presentation: Brief Overview and Talus Connection

Wright made staff's presentation. He introduced the project and explained how the public hearing to be held tonight is expected to result in a recommendation to the City Council, who will make the final decision on the Windward/Bergsma Clustered Housing Development Agreement. He described the project site and the reason that a Development Agreement is required for this project, namely because the project is clustered housing. He read the regulations for clustered housing in the City's code.

He continued with a description of the Windward/Bergsma project, as outlined in the staff report, including a provision for a secondary access off the entrance to Harvey Manning Park at Bear Ridge Court NW, which would provide a road connection to the Talus neighborhood. This is likely the issue of primary concern to many in the audience tonight, he noted. He continued with other important pieces of the project, including the SEPA Mitigated Determination of Non-Significance and the Critical Areas variances, both of which have been issued and/or approved. He described the next steps in the project review process following Council action on this matter, which include the applicant resubmitting the preliminary plat drawings for review and approval by the City's Hearing Examiner, followed by construction permits and the final plat application process.

Wright continued his presentation on one specific component of the Development Agreement, namely the proposed road connection to Talus, and explained how staff is proposing that the

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Commission proceed to review the material tonight. His presentation included references to the relevant policies in the Comprehensive Plan; aerial photos of the site; relevant sections of the original Talus Development Agreement; the original Talus Plat Approval by the City Council; and a photo of signage installed in 1991. He read letters from Bret Heath, Director of Public Works Operations and Emergency Management (Attachment 12) and Jake Kuper, Chief of Finance and Operations, Issaquah School District (Attachment 13), both of which spoke to the benefits of having a road connector as a secondary access to both Talus and the Bergsma development. He said the City Administration does recommend approval of the Talus connection. Additional City Staff and the Fire Chief from Eastside Fire and Rescue would like to speak to this at this time.

Kurt Seemann, City Transportation Manager, spoke to the proposed connector from a transportation standpoint. He said the City's policies and practices support and encourage neighborhood connections, and this connector would also be valuable for emergency vehicle access. He spoke about the benefits of linking the two neighborhoods. He said the City's Comprehensive Plan is clear about the City's goals of strengthening connectivity and avoiding dead-end streets.

Scott Behrbaum, Police Chief, spoke from an incident or emergency management perspective in support of the connection. He gave examples of law enforcement's need to get to locations quickly and safely, and how incidents of several hours can mean blocking access for residents if secondary access points are not available.

Jeff Clark, Fire Chief, Eastside Fire & Rescue, said access is of paramount importance to emergency responders. He said the fire code comes into play in considering changes to access roads, and said he is prepared to speak to the fire code implications of any proposed access points. He added that James Bush Road is not wide enough for emergency fire vehicles to have safe access, and spoke of the option of having an emergency fence or gate that opens automatically for emergency personnel. Chief Clark will provide response time data (ATTACHED).

MORGAN said he has some questions for Brad Lincoln, Gibson Traffic Consultants. He referred to the traffic analysis report dated February 2017. He said the Executive Summary states that the intersection of SR 900 and Newport is at acceptable levels in the AM peak except for left-hand turns eastbound, when the level of service (LOS) falls from E to F. He read the changes in the amount of time vehicles would be delayed at that intersection in a scenario with the Talus connection and without a Talus connection (Table 3 and Table 4, page 108 of 219). Lincoln explained that the intersection LOS is not based on one movement but rather on all movements from all directions. He said that is typically how intersection LOS is calculated, but City staff also asked for each movement to be summarized individually, which is not typically done. The change in operations to which MORGAN is referring does not constitute the entire intersection operating at a deficit, he added. MORGAN asked is it correct that the baseline delay of 70.7 seconds in 2017 would up to 78 without a Talus connection, and with a Talus connection, would go up to 168 seconds, or about 3 minutes. Lincoln replied that is correct.

MORGAN asked about Figure 1, specifically whether the model used in these calculations assumes no additional trips into Talus from southbound Newport Way. Lincoln replied that is correct. MORGAN cited additional information from the traffic study, and noted the data seems to indicate a projected increase in both inbound and outbound traffic trips during the AM and PM peak hours ranging from 104 percent to 167 percent.

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HARRISON asked the consultant to describe what Talus residents will experience if the connector is installed as proposed in the application. Lincoln explained that the traffic analysis estimates that an additional 120 units would use the connection, which would be the equivalent of 120 Talus trips. He explained the analysis takes into account the configuration of Talus, and said there is no easy access to the proposed roadway for anyone not adjacent to the connector. He explained more about how the figure of 120 trips was derived. HARRISON asked does the analysis assume two vehicles per unit. Lincoln said the assumption used is that each unit will generate one PM peak trip. HARRISON said traffic, like water, tends to flow in the direction of least resistance. He said his perception is that motorists will discover the roadway is a way to get around SR 900 and get onto Newport, or from Newport to SR 900.

LEONG asked why Talus does not already have a secondary access road. Niven said he was one of the planners on the original Talus Development Agreement, and explained that the Talus developer did not own any other property that abutted a public street, so a condition was created that if it was possible to make a connection from Talus to Newport in the future, it should be considered. He said James Bush Road was designated as a secondary emergency access road for Talus, and described it as a substandard road with 22 percent grade at its lowest point.

LEONG asked clarifying questions about the Issaquah School District's letter (Attachment 13), and said the letter expresses the desire for a road connector because of difficulties with "school buses... experiencing temporary and complete blockage entering and existing Talus." He said his understanding is that ISD policy does not allow school buses to enter some housing developments to pick up students, and asked has ISD recently changed its policy. Niven explained there is no place to pick up kids in Talus other than in the neighborhood, and explained how buses now pick up kids in Talus and on Newport, and how that could work if a new connector road was established. LEONG said he can see where additional access could be useful, but is still wondering why the City is allowing all this new development in Talus.

HARRISON said he would like to know the options to approving a full pass-through road, and noted the Fire Chief mentioned access that uses bollards or an electronic gate. Niven said from his perspective, the Commission has at least these four options: to recommend approval of the connector road in its recommendation on the Development Agreement to Council; to not recommend approval of the connector road; to recommend approving the connector road as emergency access only, with the details to be worked out later; and to make no recommendation.

HARRISON asked what would result from the proposal being put forward by the City and applicant. Wright said the result would be a two-lane, hard surface road with sidewalks, with the details to be worked out at the preliminary plat stage. HARRISON said so would an emergency-only access road mean that private vehicles would be blocked from accessing the road unless a gate or other device was removed by emergency officials. Wright replied that is correct.

Public Hearing Comments

Ken Esemann, 2473 NW Stoney Creek Drive, Issaquah, provided a handout and showed a PowerPoint presentation. He said his primary point is that a secondary road through the Talus neighborhood would be a huge mistake that would completely change the character of the north Talus neighborhoods. He showed photos of Talus streets, including narrow roadways, and said the 500-plus homes in this neighborhood would all be negatively impacted by this proposed road. He spoke of his concern about increases in litter, excessive speeding, and commuters using the road as a shortcut to and from Renton and Maple Valley. He said the City's vision statements and guiding principles refer to creating and preserving strong, balanced neighborhoods. Please don't ruin ours, he said.

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Steve Duffy, 618 Wilderness Peak Drive, Issaquah, said as an Issaquah resident since 1999, he would like to comment on whether the City needs more development and the traffic problems that would be created by a road connector. He described four housing projects currently underway in this area and said some housing projects, such as Forest Heights, are not even finished yet, so why not get those done before starting new ones. He said that, unfortunately, he thinks that the proposed road connector will be approved by the City; it doesn't matter what points the public makes, or what the public wants, and there will be no upside for residents. He also said he is concerned about impacts to the Wilderness Peak neighborhood and explained its location. At an absolute minimum, the road should be signed "no outlet," and explained how he thinks motorists will use the road to cut through when traffic is heavy on SR 900. He said another option is to consider James Bush Road, which is a narrow road but could possibly be used instead. He said overall, he would like the Commission and the City Council to think hard about whether we really need more development.

Andy Bernstein, 22816 SE 141st Ct., in the unincorporated Four Creek area, spoke about issues with removing 88,000 cubic feet of debris, and specifically the use of May Valley Road for all that truck traffic. He said May Valley Road is a very narrow road and the amount of hauling traffic that uses it has greatly increased, creating safety problems for residents and motorists, and will increase even more with this project. He described the safety problems that motorists incur entering and exiting May Valley Road, especially during dark months, and said it is only a matter of time before a child is hit while walking to a bus stop. He also noted that truck traffic has damaged the road itself and it takes months for repairs. He said he realizes that truckers have a job to do, but many do not cover their trucks, drive unsafely, and are unable to make tight turns because of the size of their vehicles and the narrowness of the road.

Susan Neville, 2825 NW Pine Cone Drive, Issaquah, said her impression is that the City sees the connector road as an opportunity to change poor development decisions in the past, namely not identifying a secondary access road for Talus when it was developed. Having only one functioning roadway was the first mistake, and approving this connector road would be the second. She spoke about the negative impacts of the road on the neighborhood and residents' quality of life, and said it will become a shortcut for commuters who will use GPS or Siri or some other way-finding system to find the quickest way to their destination. She said she doesn't believe future Bergsma residents would want this connection, and Talus residents should not be being asked to fix mistakes that were made when Talus was first developed. She continued the City needs new development, but it should be in accordance with the City's vision as a place where neighborhoods, the environment, and quality of life is valued. She referred to a petition she submitted to Council on Monday that contained 72 signatures in opposition to a connector road from Talus to Newport Way.

Tim Kimble, 2825 NW Pine Cone Drive, Issaquah, spoke about his concerns for the impact of this project and the connector road, specifically to neighborhoods and the environment. He said his understanding of the Hearing Examiner's findings is that the variances would not be approved if the Bergsma neighborhood was to only have a single access. He spoke in favor of preserving as much of our wild lands and wildlife as we possibly can, and at the very least, we should not be approving a road that would allow cars to travel up a once-pristine Cougar Mountain hillside. If access is absolutely necessary for emergency use, then it should be an emergency-only access. He said the numbers in the traffic analysis are woefully low; the math just doesn't play out, and the data in the analysis needs more scrutiny.

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Joe Verner, 1230 Oakwood Dr. NW, Issaquah, said he has grave doubts about the accuracy of the traffic analysis. He showed on a diagram where traffic from Talus comes from, and also from Maple and Gilman onto Newport. He said during rush hour traffic during the school year, roughly 7 to 8 AM, there is an almost steady stream of cars coming up Newport. He described the experience of trying to get onto Newport westbound, and said it is usually a 2 to 4 minute wait until there is a break in traffic. He said not having a secondary access road was an error in the original Talus plan, and encouraged the Commissioners to nix approving this connector route, which will create additional problems for both residents and the City.

Julie Clark, 915 Bear Ridge Ct. NW, Issaquah, said she submitted a petition with 44 signatures to Council on Monday opposing the connector road, and has collected 29 more signatures since then. Our neighborhood does not want a connector road, she stated. The City was short-sighted when it didn't put in a secondary access road for Talus when Talus was developed, and again is being short-sighted in considering this arterial. She showed photos of the neighborhood and described its characteristics, including where streets are already congested and where school bus stops are located. She said the traffic report does not adequately project the number of peak-hour trips that would use this road.

Brooke Scholl, 544 Timber Creek Drive NW, Issaquah, read from a letter from Peter Eglick, E&W Law (Attachment 8-L) that outlines the Talus Residential Association's (TRA's) objections to a possible road connection between Bergsma and Talus, noting that the TRA represents several thousand Talus homeowners. She added a private comment that residents have been told by the City in the past that James Bush Road is suitable for emergency vehicles, and she feels somewhat slighted hearing today for the first time that is not suitable.

Karen Porterfield, 2498 NW Stoney Creek Drive, Issaquah, described her commute as taking up to 40 minutes to travel from Lakemont to her home in Talus during peak commute times. She said traffic, like water, always looks for the quickest way to get somewhere, and she predicted that people would use this proposed connector traveling from Lakemont to SR 900. She said the traffic study that says it will only be used by a few people who live in the community is inaccurate. She said the additional traffic will put children, pedestrians, seniors, and bicyclists at risk, and will also bring crime and theft to the neighborhood. She said she understands the background on the Talus project, but that a stipulation in 1999 that an access road "shall" be considered in the future does not necessarily mean an automatic "yes." She spoke of her background in urban planning. She said she was surprised that a Commissioner asked staff "what are our options" tonight. You should not have to ask for the options; they should have been offered to you. You need to be supported respectfully and appropriately by City staff, and said she hopes that Commissioners will ask for all the options to be laid out for them and not just those that staff favors.

Jeremy Carrell, 917 Bear Creek Drive NW, Issaquah, said he will be directly affected by the proposed connector road, as traffic will be routed right in front of his residence on an already narrow street. He continued everything in the traffic report makes no sense to the people who live in Talus. He said Talus already has issues with drainage, parks that are under several inches of water, and landslides; it's hard to imagine the problems that will be caused by removing even more material. He said there is no upside to connecting the two neighborhoods. The entire idea of putting in a connector road is doubling down on an already bad situation. This road won't help, and will just cause non-residents to use it inappropriately and will drive more recklessly than residents would. He also questioned how many times an emergency response situation has been required in the past that would have been alleviated by a secondary access road.

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Geraldine Carey, 955 17th Ave. NW, Issaquah, said she has been a resident of Issaquah for 40 years, and this project generally and the access point on Newport Way specifically concerns her because of her location on 17th NW. With the addition of more cars using Newport both east- and west-bound, she continued, it will be impossible for me to get out of my driveway. She gave examples of how she thinks the traffic projection numbers are incorrect. She said developers seem to push aside the needs and wants of people who already live in a community, and while development may be necessary, it needs to be respectful and responsible. She spoke of the need for a traffic signal or something to make it safer for people to access Newport. She said she opposes the connector road, but if one is necessary for emergency purposes, then it should be gated and electronically activated by emergency responders so that Bergsma does not become a pass-through community. If Talus needs a secondary access, it should have been done when Talus was developed.

Mary Hammerly, 1230 Oakwood Place NW, in the Summerhill neighborhood of Issaquah, summarized her experience of all the development on Newport Way as being a “nightmare” situation, and gave details. She said now the Bergsma project is being proposed and traffic from Talus being placed on Newport Way. Newport Way can’t handle all the increased use; the results in the traffic study are absurd. Doing so will only increase clogging up the entrance to Newport Way further. There is no benefit to putting traffic from Talus onto Newport; it can’t handle the additional cars. She said the problem with traffic models is that they seem to always grossly underestimate what will actually take place; the same is true of models that determine parking. She urged the Commission to not recommend any projects that put more traffic onto Newport Way.

Mitch Conners, 19511 SE May Valley Road, said he is a three-year resident on May Valley Road. He said much as he would love to support the connector because it could save him time on his commute, it isn’t a good idea for the neighbors. He said as a commuter, it can take him 45 minutes to go four miles from I-90 to his home, and he encounters road rage, accidents, and unsafe road conditions on that portion of his commute every day. He said thinking that people won’t use the proposed road connector as a shortcut for their commute is naïve. He gave his perception of the changes he has seen in the usage of May Valley Road, from a quiet, peaceful rural road with lots of recreational users to its use by trucks for hauling gravel and materials to and from construction sites. He said this project could potentially add more traffic, crime, and graffiti to May Valley Road, and he doesn’t support it. He said it’s impossible to predict in advance how a thoroughfare will ultimately be used. May Valley Road is not an appropriate route to handle the huge trucks that are associated with development projects such as this one. The area has been rural and has not undergone the appropriate infrastructure changes for it to be used as a major hauling route.

Kimberly Brown, 532 Sky Country Way NW, Issaquah, said if the Commission feels obligated to provide a secondary access, to please stipulate that it be emergency access only. She said as a parent, she sees unsafe conditions regularly on Newport for kids, pedestrians, and motorists. She compared her experience living in a subdivision of Talus with her years living in Mirrormont. She said given the reliance of people on GPS and other way-finding services, she would ask the Commission to consider how people’s traffic patterns will change once this connector road is established. It’s a matter of “if you build it, they will come,” she said, and there will be an additional cost to the City of dealing with the resulting accidents and infrastructure costs. She urged the Commission to recommend the road be emergency access only.

Tina Conforti, 1220 Oakwood Place NW, Issaquah, said she has a lot of concern about clustered development, which will impact the safety of pedestrians and bicyclists. She gave examples of

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unsafe situations now, including a fatality last year. She said the residents of this area can't take any more construction. It's all around us, on weekends, weekdays, and even the availability of parking for people accessing the King County trail. All this construction is enormously impacting our neighborhood, she continued, and this project poses potential issues for erosion, landslides, and damage to trees and soil. The projects on Newport Way are just piling up, she concluded, and the proposed road connection will become a shortcut and make a bad situation worse.

Rigel Rierson, 955 17th NW, Issaquah, said her understanding is that variances were approved by the Hearing Examiner but only if the Council declines to open up access to the site. She noted how traffic patterns will be affected by the proposed road connector, including how drivers will use the road as a shortcut, which will result in more traffic accidents and traffic backups on Newport Way.

Kay Haynes, 2830 NW Pine Cone Drive, Issaquah, said she supports many of the comments made by others tonight, and said she would like the Commission to see this project in a larger context. She said she is opposed to a connector road from Newport to Talus, and gave information about how many new car trips will be generated as a result. She said this project is contrary to the City's philosophy in the CIP of building on the valley floor only, and saving the forested hillsides and critical areas. She said the 600 units being added to Newport are resulting in destroying the neighborhoods. She also said the Commissioners need to understand this application in context with all the other development that is taking place, and while she supports the concept of clustered housing generally, for all these reasons she can't support putting in a connector road. She also said the Hearing Examiner approved variances only if there were no other alternative access points available, which implies that the requests for a variance were less than ideal to begin with.

Jeff Richards, 19490 SE 57th Place, resident in the Cougar Ridge Development, Issaquah, said he is appreciative of the process being followed to review and approve this project, and his message is one of empathy and gratitude. He said when he was growing up on the Eastside, Issaquah was regarded as the perfect city, and the perfect gateway to the Northwest. Since becoming an Issaquah resident, he continued, he has become more concerned about how growth is being handled, but also empathetic with the City staff and elected officials who have to make hard choices about how best to handle growth and keep Issaquah's uniqueness. He said the City needs the revenue that development brings to provide all the benefits that we enjoy, and progress is necessary, but the challenge is also making sure the City is doing everything it can to accommodate that growth wisely. He said he has looked at many development proposals, and they don't seem to consider other developments taking place. He used Newport as an example. He concluded he hopes the City can find alternate ways to generate the revenue he realizes is needed rather than build more and more developments.

Carole Lopez, Sammamish Point Condos, 2262 Newport Way NW, Issaquah, said she agrees with many of the previous speakers and is asking the Commission to recommend against the connector road. She said Newport Way is increasingly becoming a fire hazard, and is being used by more and more vehicles for construction projects, resulting in unsafe and inconvenient conditions for motorists. She said she understands the rationale for a second entrance, but wonders where those voices were when the Gateway Apartment project was being planned with only one entrance.

Mary Lynch, 2690 NW Oakcrest Drive, Issaquah, said she supports many of the previous comments. She said for two years, she has been consistently asking about a second entrance to Talus and has been told it isn't needed. If the James Bush Road isn't a successful road, they why

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has the City allowed development on it, and why has the City continued to allow access to parcels 7, 8 and 9 if they are in such a hazardous place to live. She said she has also repeatedly been asking about an entrance on Poplar Way, which is badly needed. She gave her perspective on the Hearing Examiner's ruling, and said her perspective is that staff's reading of it isn't accurate. City staff did not require the developer to even look at not having access through Talus, so the Hearing Examiner had to rule on what staff showed him. She continued her opinion is that the City should not allow this project to move forward with a road connection to Newport Way, and said why isn't the City looking at this parcel as potential parkland or green space. She noted that the City just spent nearly \$1 million to fix flooding at Newport Way but failed to fund any work to fix the upper creek function that is causing the flooding issues. She also spoke about the risk of landslides, and asked who will pay for cleanup of landslides that occur in Talus. She also said the traffic report for this project has serious flaws, and showed slides of people driving on Newport. She said she is very disappointed with the way City staff have handled this project.

Jack Goldberg, 19437 SE 57th Place, Issaquah, in the Cougar Ridge development, said the people who would be largely impacted by this decision are not here tonight. They are the residents of the Bergsma development, who aren't here yet. Surely this road connection is not what they are expecting, he added.

David Kappler, 255 SE Andrews, Issaquah, said the Hearing Examiner's decision is unclear and needs clarification. He said he was a City Councilmember when Talus was developed, and advocated for urban villages going back to the 1980s. He said at that time, we had no idea that SR 900 would still be the two-lane road it is now, with no shoulders. This proposed road connection will result in more cars going through Talus, he said. He spoke in favor of having the road function for emergency vehicles only, using an electronic gate or other device.

Connie Marsh, Squak Mountain resident, said the Staff Report for this project contained very little information about whether the connection should be approved or not, what the options are, or how the decision would be made. The information was mainly policy support about promoting connections between neighborhoods. She continued in her view, this issue would have been more appropriately addressed by the Urban Village Development Commission rather than the Development Commission, yet the Development Commission is being asked to make the decision or push it off onto the City Council. She continued her advice for the Commission is that they ask for clarification and a more thorough explanation of the criteria used by staff to come to its conclusion. Personally, she continued, she doesn't think this is a wise road connection, and it will accelerate the loss in the quality of life she fears is slipping away.

Applicant Presentation

Greg Krabbe, applicant, said he is available to answer any questions. He said the community has made it clear that many people have strong concerns about the connector road, and we are sensitive to that. He said our recommendation at this point would be to make the road a limited access, emergency-only road, with gates or some other apparatus to restrict access to emergency responders.

Commission Discussion

LEONG asked whether it was possible to determine from emergency response records how long it takes for fire and police personnel to get to Talus. Jeff Clark, EF&R Fire Chief, said that is easily obtained from both police and fire records and we can get that information to you. HARRISON asked what is the maximum number of firefighters on duty in the City at any one time. Clark replied 11, in three fire stations across the City, who cover 190 square miles. He noted our fire

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trucks respond to emergencies in unincorporated areas as well. In Talus specifically, he continued, a large number of calls are requests for aid cars in Timber Ridge. (See Attachment)

HARRISON asked staff to comment on the Hearing Examiner's ruling on the variances. Niven replied the Hearing Examiner's finding was three-fold. The first is that the stormwater detention vault should be placed at the bottom of the hill near Newport, which has no bearing on the access road. The second is that a connection road be approved with conditions due to the steep slopes of the site, and the third is that the proposed access road configuration intrudes into the stream buffer. Niven noted staff is waiting for clarification from the Hearing Examiner on the rulings as it has some disagreements with the findings.

LEONG asked who would pay for the connector road. Niven replied if the recommendation was for the access road to be emergency access only as part of plat improvements, then the developer would pay for it.

MORGAN said it seems that nearly all the parties here tonight are against the idea of a connector road, even the developer, although some have said they could accept making the connector road emergency-only access. He said the connection would also provide benefits for pedestrians and bicyclists, as a way of getting between the two neighborhoods and enabling Bergsma residents to more easily access Harvey Manning Park.

HARRISON said he has felt for a long time that the City needs an alternative access to Talus for emergencies, but some very legitimate concerns have been raised tonight. MORGAN read from the City's policies on "connections," and noted that this proposed connection would seem to adversely impact both Talus and the Bergsma neighborhoods.

MOVED BY MORGAN, SECONDED BY HARRISON that the Development Commission recommend approval of the road connection as emergency only with an access to be approved by the City and Eastside Fire and Rescue.

LEONG asked whether taking action on this component of the Development Agreement is appropriate because the Commission has not yet taken action on the Development Agreement as a whole. HARRISON said the motion would be contingent upon approval of the Development Agreement. SOWA noted there are probably multiple ways to approach addressing the Development Agreement and especially the connector road issue, and this is the way we have chosen to proceed.

HARRISON noted having the connector road as an emergency-only access would help promote connectivity both for those on foot and on bicycles, including Bergsma residents accessing Harvey Manning Park. MORGAN agreed, and said it will be a much safer route for them than Newport Way.

MOTION CARRIED BY THE UNANIMOUS VOTE OF ALL COMMISSIONERS PRESENT.

The Commission took a short break at 9:30 PM and returned at 9:40 PM.

Staff Presentation: Remaining Components of Development Agreement

Wright made staff's presentation, including additional attachments that were submitted since tonight's agenda packet was assembled, as follows: #10, revisions to the Affordable Housing section; #11, Council approval of the preliminary plat for Cougar Mountain East Village dated February 9, 2001, which refers to a "possible future street connection;" #12, letter from Bret

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Heath, Public Works Operations and Emergency Management; and #13, letter from Jake Kuper, Chief of Finance and Operations, Issaquah School District. He said other public comments received as late as today that were not included in the agenda package have been bundled together and provided to Commissioners, and will be sent to Council along with the Commission's recommendation.

He continued his presentation on the remaining components of the Development Agreement: including development standards; design standards; street standards; open space; and affordable housing. He referred to changes in the Affordable Housing section made as a result of conversations with ARCH and agreed to by the applicant and City, and that were made since the agenda packet was prepared (Attachment 10). He referred to the two conditions listed on pages 11-12 of the Development Agreement, which along with Attachment 10, constitute the Administration's only conditions for the application..

HARRISON asked whether any elevation views are available for review. In other words, will the Commission be looking at any of the architectural aspects of this proposal, or are they not part of this process. Niven replied the City doesn't normally do design review on single-family stand-alone houses, either clustered or non-clustered. HARRISON asked so at what point does the applicant get a "green light" to go ahead with this project. Wright said if approved by the City Council, the application will go to preliminary plat approval and then to final plat approval.

MORGAN asked for clarification about how building heights were calculated. Wright explained how this application uses a different methodology than using the mid-point of the highest gable, and referred to Exhibits 6a and 6b on page 212 of 219.

Applicant Presentation (Continued)

Krabbe said he is available to answer any questions. MORGAN asked about how building heights were calculated, noting that the highest point appears to vary from 35 to 40 feet as measured from the center line. Krabbe explained that the objective is to have a fairly homogenous roof line across the project, so that calculation differs from grade to grade in order to achieve that. If we were doing a non-clustered housing project, he continued, a homogenous roof line wouldn't matter as much because the houses would be more spread out. Wright noted the method used is the same as was used to measure building heights at Talus.

HARRISON asked how much of the site will be cleared and what surrounds the property. Krabbe described the properties that surround the proposed site, and said as a result of negotiations with the City, about 34 percent of the site will be cleared. Wright added one of the requirements of the Development Agreement is that 15 percent of the developable area of the entire site needs to be set aside as permanent open space. MORGAN asked the applicant to show the entire length of frontage that would be developed, and Krabbe showed it on a map.

HARRISON said Newport Way has areas where it is three lanes, then two lanes, then back up to three lanes. He asked what can the public expect as a result of improvements made to Newport from the construction projects going on there. Doug Schlepp, City Engineering Consultant, showed existing conditions on Newport, using a map. He said the City has hired consultants to review the entire Newport corridor. We will be looking at all improvements now being done and planned by developers. That work is in the data gathering and preliminary design phase now, he said.

Public Hearing Comments (Continued)

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Ken Esemann, 2473 NW Stoney Creek Drive, Issaquah, spoke about his concern that this project is on a steep slope site. The elevation difference between Newport and Harvey Manning Park is 250 feet, he continued, and makes this area vulnerable to landslides. He referred to 98 articles he found in *The Issaquah Press* on landslides dating back 30 years. Does the City really have the expertise to regulate development on steep slopes, he asked, and said why take a risk that ultimately we, as taxpayers, will have to pay. He questioned how much the security bond for the proposed Bergsma project is, and said Talus' security bond was a pittance. He gave examples of how the slide in Talus has created problems for residents. He said the taxpayers have to take the risk and pay the bills, and also put up with noise, mud, and traffic during construction. He concluded there is no benefit to us as residents and this project poses too much risk.

Christy Anderson, 2444 NW Stony Creek Drive, Issaquah, said she agrees with Mr. Esemann's comments. She said she drives up the hill everyday, and from her house she has to look at the "white plastic mountain" that is the result of the landslide. This is a steep slope, she said, and at the very least, she asked that clearing of land be done in dry months and not start in November.

Larry Tornberg, 1322 209th SE, Issaquah, said he is a resident on May Valley Road, and described it as having some blind curves and few shoulders, as well as a couple of bridges that are on the County's list to be replaced but have no funding. This County road has been being used as a soils route for the Gateway project for months, he continued, and the proposed Bergsma project would mean removal of 88,000 cubic yards of material from the site. Even with 10-yard truck beds, he said, that means more than 8,000 truck trips that will end up on May Valley Road, which could be up to 150 trips a day. He spoke of the need to set some conditions, such as requiring a trucking management plan for both incoming and outgoing trips, covering truck beds with tarps, working five days a week and not on weekends, and identifying alternate routes including I-90, SR 900, I-405, SR 167, and SR 169. He said he would like the Commission to consider these kinds of conditions if you decide to recommend this project.

Karen Porterfield, 2498 NW Stoney Creek Drive, Issaquah, gave some information about her background and her involvement with the CIP. She continued this development requires significant variances, and reminded the Commission that they can say "no." Developers seem to get to hear yes, and citizens seem to get to hear no, she added. The City Council asked why the City isn't meeting its CIP objectives, she continued, and it is largely because we are handing out development permits for projects such as this one. She discussed the steep slopes of the site in question and said the City needs a larger plan for affordable housing, not the unfocused and piecemeal approach it now has. She said a basic principle of urban design is the further you get away from 90 degrees, the more expensive it is to deliver services, and with steep slopes, the faster they fall. She said there is a long-term impact to us as taxpayers for having to pay to maintain sewers, roads, and so on for projects such as this one, while the developer just completes the project and walks away.

Geraldine Carey, 955 17th NW, Issaquah, gave her perception of problems with the project, including the proposed deviation for building heights, narrow streets, water drainage problems, the steep slope of the project, water damage to nearby property owners, and who will be responsible for unstable conditions as a result of cut-and-fill activities onsite. She spoke about landslide and drainage problems at Talus, and said the developer's responsibility should be extended beyond two or three years to 10 to 15 years; that way, they might not be so inclined to build on steep slopes. She also spoke about needed improvements on Newport Way, including a traffic signal, and said trucks hauling 88,000 cubic feet of material could create significant backups on Newport

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Steve Pereira, 170 SE Dogwood Street, Issaquah, talked about his concern that the City has a goal of 51 percent tree canopy, and is now at 48 percent. This project would scrape off 34 acres of forested hillside, he continued, and removal of all those trees would also affect the City's ability to reduce its carbon footprint. He said as a taxpayer and citizen, he doesn't see what he is gaining from this project. It will create a permanent scar and loss of tree canopy, plus the risk of being on a steep slope. He said if the City needs to fix its deficit of a secondary access to Talus, there are options that would not require so much destruction. He said he also hasn't heard any information about how affordable the housing is going to be, which is another of the City's goals. He also said the process for reviewing this project tonight is confusing; review and approval of the project should have been first, then the connector road.

Mary Lynch, 2690 NW Oakcrest Drive, Issaquah, showed photos of cars driving on the shoulder of Newport, blocked entrances to trails and residences, cars entering the bike lane, and issues with construction trucks. She said once again, the City has not figured out how it will fund improvements to Newport. She described people making u-turns in entrances to jump back on SR 900 before the light. She said there appears to be no proposal to put in sidewalks on the south side or a stop light, no walkways to the park-and-ride, and no good way for affordable housing residents to get to the park-and-ride. She said it is rarely acknowledged but the area is also a major homeless camp. Where will they go; they are also existing residents of our City, and we need to acknowledge that they need a place to go. She said the Commission needs to look at all the issues of mobility and safety on Newport Way.

David Kappler, 255 SE Andrews, Issaquah, said he is passing along a comment from Ms. Marsh, namely that the City needs to be working on improving the CIP and the City code in order to get development where services also exist. He said as Vice President for Advocacy of the Issaquah Alps Trails Club, he is somewhat heartened that at least this proposal is for clustered housing, and showed a conceptual plan where trail connections are needed. He said the idea is to connect Newport and the upper part of the development to Cougar Mountain Park. He noted that Harvey Manning Park is on water utility property, and is not permanent. He said the main road for the project does not need sidewalks on both sides, but the trail along the road needs a guard rail to protect users from passing traffic. He said he also agrees with earlier speakers that what hauling traffic is doing to May Valley Road is horrible.

Rigel Ryerson, 955 17th NW, Issaquah, spoke about her concerns about the Hearing Examiner's variance findings. She said the City should operate within its own guidelines and not seek variances; there are too many projects seeking exceptions to the City's own code. She also spoke about her concern with building on steep slopes, and noted that houses in the area near her residence have already been condemned and are vacant because the hillside is slipping.

Commission Discussion (Continued)

LEONG said he appreciates hearing residents' thoughts tonight, and encouraged participants to attend the Council meeting where this action will be deliberated, regardless of the outcome of tonight's Development Commission meeting. He said his overall concern is with the level of development going on in the City, and he is hearing from people such as the speakers tonight that the increases in traffic and stress on the City is a growing concern. This project would throw another development into the mix, he continued, and that seems contrary to the City's stated goals of preserving communities and enhancing neighborhoods. He said he also is concerned that this project doesn't do anything to improve traffic and is also in an area that has already had problems with mudslides.

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Niven clarified that the question before the Development Commission is whether or not to approve clustered housing for this development, which would require a Development Agreement, or not approve clustered housing and allow the development to occur as any other subdivision housing project. The property is privately owned and the property owner is free to develop it however he/she sees fit, within City code, including as stand-alone residential houses that are not clustered. If the Commission thinks there are advantages to clustering housing on this site, however, then a Development Agreement is necessary, which also gives the City some ability to add some requirements and also deviate from some standards if it makes sense to do so.

In response to some comments made earlier, MORGAN clarified that the Staff Report indicates that work to clear land would take place only between April and October. He also clarified that the development would not require scraping of 34 acres, but rather 34 percent of the site. He also said Condition 2 requires that a five-foot sidewalk, rather than no sidewalk, is required on the west side of Newport. He asked Kappler to clarify his comments about the need for a guardrail on Newport. Kappler showed a Road A section view and the need to give pedestrians some protection from traffic. Staff clarified the resulting configuration would be a guard rail, a sidewalk, and a handrail where the drop-off was more than four feet or so.

HARRISON gave his experience as a new resident in 1989, and said his first civic involvement was to vehemently oppose developments at Talus and Highlands. Since then he has learned that growth and development are unavoidable; the only question is how to best handle it. He said Issaquah is widely known as a very desirable place to live, and the City is faced with how best to accommodate people who want to live and do business here. He thanked participants for their comments today, and said we aren't going to be able to please everyone, and while he has reservations about the application, the Development Commission, Council, and the City as a whole have to do the best we can to accommodate growth.

MORGAN referred to a question raised earlier about why this project requires so many variances. He said his understanding is that to get the benefits of clustered housing, there are variances from what the code might require of a non-clustered housing development. He also noted he didn't recall that it was the intention of the CIP to only allow development on the valley floor. He asked staff to comment on an earlier question from the public about bonding. Niven responded by explaining the City's response since the Talus slide several years ago, which was to increase the number of test pits required of construction projects. We do as much as we can, he continued, but construction is not foolproof. The bar has been set higher, however, than existed when Talus was originally developed, he continued. At the present time, the City relies on experts to give us their best geotechnical advice. He said one option for the Commission would be make a recommendation to the Council to consider requiring added financial securities related to restoration. He explained the purpose of surety bonds, and said he doesn't disagree with the earlier speaker that the level of bonding for this project may not be high enough.

HARRISON said May Valley Road is in King County, not the City, but is it possible for the City to collaborate with the County on the use of May Valley Road for construction truck traffic. Niven explained that the City cannot control trucks using SR 900 and I-90, and it's pretty hard to monitor trucks getting off those routes and using May Valley Road. He said again, this may be an issue that the Commission would like to shine a spotlight on by including it in their recommendation to Council.

LEONG asked whether traffic on Newport Way was being studied now. Niven replied yes. Construction traffic is the biggest factor creating issues on Newport, he continued. LEONG said with the construction projects recently approved or in the process of being approved, truck traffic

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on Newport will increase. Niven referred to a transportation summit the Mayor held last year to talk about regional transit issues, and said while there are no answers yet, people are working on the issues. He continued his remarks about the recent traffic study on Newport and some improvement activities that have taken place, and said basically a complete road is needed on Newport before it begins to function more like a City street and less like a through-way to Bellevue.

Commission Decision/Recommendation

MORGAN made three suggested change to the Development Agreement itself, as follows, which he said he assumes can be done administratively and would not require a condition:

1. The title of item 6, Park Dedication, page 192 of 219, should be changed to Park Dedication or Conveyance to be consistent with the narrative that follows.
2. On item 194 of 219, item 10(d), "principle" should be "principal."
3. Item 14(c), Term, on page 195 of 219, should be stated as "expiring in five years." Niven agreed to review the paragraph on Terms more closely.

MOVED BY MORGAN, SECONDED BY HARRISON, that the Development Commission forward a recommendation to Council to approve the Windward Development/Bergsma Clustered Housing Development Agreement, File No. DA 16-00001, as presented in the Staff Report dated April 19, 2017 and subject to the following conditions:

1. All of the conditions of the Variance, File No. VAR16-00001 and the conditions from the Mitigated Determination of Nonsignificance, File No. SEP17-00002, must be met.
2. The "v. Newport Way" section under Capital Facilities shall be revised as shown on page 11-12 of the Staff Report.
3. The section on Affordable Housing shall be amended as shown in Attachment 10.
4. The Development Commission recommends the City Council consider stronger bonding requirements for any work in steep slopes, including this project.
5. The Development Commission recommends the City Council consider more extensive truck route restrictions, especially with regard to May Valley Road.

HARRISON added he was heartened to hear from staff that the City is requiring more geotechnical studies in the review process, and asked does that apply to all City projects. Niven replied yes; it is a result of recent Council action.

MOTION CARRIED BY THE MAJORITY VOTE OF ALL COMMISSIONERS PRESENT (LEONG voted in the minority).

OTHER BUSINESS/ANNOUNCEMENTS/ADJOURNMENT

Niven noted the next Development Commission meeting will be May 3, 2017. With no further business to conduct, SOWA adjourned the meeting at 11:42 PM.

Respectfully submitted,

Susan Lowe
Recording Secretary

Estimated Response Improvement with Northern Access to Talus

The black dots show incidents where there is no improvement. For those on which there is an improvement, it ranges from 0:16 (orange) to 2:49 (green). This is routing based on Network Analyst, using GIS.

