

Development Commission
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CITY OF ISSAQUAH
Development Commission
MINUTES
June 6, 2018

City Hall South
Council Chambers

135 E. Sunset Way
Issaquah, WA 98027

COMMISSIONERS PRESENT

Richard Sowa, Chair
Michael Brennan
Randy Harrison
Kevin Price
Richard Sanford
Nischitha Venkatesh, Alt.

STAFF PRESENT

Lucy Sloman, Land Development Manager
Keith Niven, Dev. Svcs. and Econ. Dev. Director

APPLICANT TEAM PRESENT

Steve Crawford, Director of Capital Projects, ISD

OTHERS PRESENT

Denise Fong, Lighting Consultant, Stantec

COMMISSIONERS NOT PRESENT

Mel Morgan, Jr., Vice Chair
Jasmina Milhova
Ryan Roeter, Alt.
Mark Rigos, Alt.

CALL TO ORDER

SOWA, Chair, called the meeting to order at 7:00 PM.

APPROVAL OF MINUTES

MOVED BY BRENNAN, SECONDED BY HARRISON that minutes of the Development Commission meeting on May 2, 2018 be approved as presented. MOTION CARRIED by unanimous vote of all Commission members present.

Sloman introduced VENKATESH, new Alternate Commissioner.

PUBLIC HEARING: REVISION TO ISSAQUAH MIDDLE SCHOOL LAND USE PERMITS FOR SPORTS FIELD LIGHTING (Q)**Staff Presentation**

Sloman made staff's presentation. She began with an explanation of the process used to determine whether or not Commissioners can be both fair and appear fair in making a quasi-judicial decision on the Site Development Permit (SDP) under consideration tonight. She presented a series of questions intended to determine fairness and asked whether anyone can answer yes; there were no "yes" responses. She also asked whether any ex parte communications on this issue have taken place. All Commissioners answered "no." The applicant had no objections to any of the Commissioners' involvement. She also introduced Denise Fong, Stantec, the City's lighting consultant, who is available to answer any technical questions that arise tonight.

Sloman continued her presentation by reviewing the purpose of tonight's discussion, which is to review the Commission's and public's discussion on this issue that has taken place to date and take additional public comment, with the objective of having the Commission feel comfortable enough to make a decision. She continued with an overview of the proposal; some context for the proposal, including a map of the applicable land use and zoning designation; background on the SDP; and activity that has taken place post-Master Site Permit and SDP Permit approval.

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She went through each of the topics covered in staff's Briefing Response Memo (pages 13-22 of 42) including where staff has proposed revisions and conditions (page 23 and new condition #6).

Applicant Presentation

Steve Crawford made the applicant's presentation. He described how sports fields are typically used at middle schools. He said there will be no amplified sound system as part of this project. He spoke to previous information about the potential for lighting spill at Issaquah Middle School and the use of LED lights on this site. He said lighting was not funded at the time that this project's SEPA was done, so it was not addressed then but rather was added at a later date. He described a timing issue with an over-zealous contractor moving ahead to install lighting after the permit was submitted but before it had been reviewed and approved. He showed a proposed glare map and said glare is almost completely contained within the site (page 35 of 42). He also showed some photographs taken at the sports field at Skyline High School, which uses the same lighting technology that has been proposed for the Issaquah Middle School. He also described how and when lights are turned on and off at Skyline High School.

PUBLIC COMMENT

Sowa opened the meeting for public comment at 7:31 PM.

Kathleen Lizotte, 380 SE Darst Street, Issaquah, described the location of her house and the impacts of the middle school and nearby Issaquah High School on her home. She noted that recently a large stand of trees was removed from the St. Michael's Church property, which has resulted in about six homes having a direct view of the sports field as well as adding to traffic issues for neighbors due to the additional truck traffic. She said she has lived in her home for about 25 years, and during that time she and her neighbors have asked the City for assistance in solving their traffic issues many times, but have not received any help. She said she would like to see more police enforcement, stop signs, speed bumps, and any other measures that would result in some relief for residents from the traffic mess. She also said that allowing events until 10 PM is too late for that neighborhood.

Richard Denby, 420 SE Darst Street, Issaquah, said his home is in the direct line of sight of the sports field lights. He described the ongoing traffic problems that have been created for residents by both the middle school and the nearby Issaquah High School. He also spoke about ongoing problems for residents with trash, garbage, rowdy people, and noise as a result of events at both schools. He said the people who are coming to our neighborhood for events are not local people, and we end up having to clean up after them. He said thinking that events will be allowed until 10 PM is inconceivable. He also noted that the church has cleared out so many trees that homes are now in the direct line of sight of these lights, and the trees that are remaining are as completely leafed out right now as they will be all year. He said over the years, he and his neighbors have contacted the police and the school district for help with garbage and traffic issues, but the situation has continued and gotten worse.

Lynn Davis, 420 SE Evans Lane, Issaquah, noted she has lived nearly 20 years in her home, and the impact from the school construction during that time has been significant. She described her concern with opening up the sports field to more people from outside the neighborhood as a result of the lighting, which will make the problems we are experiencing now with traffic and disruption even worse. She said the school district did not keep their word about opening the gate on the property only in emergencies, and described her experience with students and parents driving onto the school campus every morning and evening. She also

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described the impact of noise on her home and neighborhood, including noise from school buses, as well as garbage.

Mary Lynch, 2690 NW Oak Crest, Issaquah, showed some photos of the site before the trees were recently removed from the church property, including views of the lighting from Second Ave. and the Rainier Trail, and of residences with cars parked illegally in front of them. She expressed concern about “amplified sound,” noting that it is not being defined, and that new technology does not require large speakers to make a lot of sound. She said she would like to see a condition added that non-school events have to apply for a special event permit. She described ongoing problems with traffic, parking, the unlocked gate, and emergency vehicle access. She said she didn’t see anything in the staff memo about using shields or covering the back side of the light bulbs, as is done in Bellevue. She said going forward, she would like to see better documentation of what the public asked about and what was said when projects such as the Issaquah Middle School were presented to the public.

Jenni Bingham, 375 SE Andrews Street, Issaquah, said she has lived in Olde Town for 40 years, and all during those years the Issaquah School District and the City haven’t worked effectively together. She said the community needs the ISD and the City to work together. She also said the lighting needs to be turned on so that we can see the lighting and determine what the impact is. She also spoke to traffic problems in the area and said we need some “no parking” signs and more police enforcement of the parking and traffic regulations that already exist.

James Marsh, 500 SE Evans Lane, Issaquah, echoed many of the comments made earlier about problems that residents are experiencing with traffic and noise. He said he predicted three years ago when Clark Elementary School was built that his neighborhood would be severely impacted by parking and traffic issues, but the result has been double what he feared. He said the problems have ruined a quiet little cul-de-sac neighborhood. He continued his comments about the traffic and garbage problems that residents are experiencing every day. He agreed it would be useful to have the lights turned on so that we can see the impacts. He said this is an emotional issue for residents, and we know that some of these problems are citywide as well as impacting our neighborhood. He said he was disappointed to see that only one representative from the Issaquah School District is present at tonight’s meeting. We love our schools, and our City, too, he concluded, but we have to work together to protect what we love about it.

Michelle Gipson, 535 SE Evans Lane, Issaquah, said sports offer kids many benefits, and she is not against accommodating sports activities, but lighting the sports field will make the problems residents are already having worse. She described problems with parked cars blocking driveways, fire hydrants, and mailboxes, as well as speeding. She said we need “no event parking” and “no student parking” signs, at the very least. She continued there must be something that can be done to help us. She agreed that the lights should have been turned on before tonight’s meeting so that we could have seen the impact. She also said residents expect the City and school district to be good stewards of our tax money and to work together to resolve issues.

Connie Marsh, Squak Mountain resident, agreed with comments made by other commenters. She said her reading of the e-mail from the City Attorney is that SEPA doesn’t have to be reviewed as long as impacts are mitigated, but it’s clear that in this case the impacts of the school construction were not mitigated. She described the problems she foresees with extended sports field hours, and said the conditions the City has proposed will not mitigate the impacts. She said the school district said there won’t be lights on the sports field, and that is what was in

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the SEPA, but since that isn't the case then there needs to be another SEPA. The school district says they are good neighbors, but a good neighbor would take this proposal out to the community and discuss the concerns with them. She suggested the Commission ask staff how to solve this problem, and if they say it is not solvable, then you have a bigger issue on your hands than lighting.

Christina Bruning, Community Awareness Initiative, 580 Front Street, Issaquah, said she has been proud to call Issaquah "home" since 1991, and described problems living next to the middle school with trespassing, parking, traffic, speeding, and the behavior of people using the sports fields for adult and private leagues. She said all of this has negatively impacted the quality of life for the 48 units in her condominium building as well as hundreds of families who live in south Issaquah. She described the community's involvement in planning for the middle school, including reassurances given by the school district that the middle school sports field would not be lit and the disappointment that residents felt when the lighting went in. She said her experience is that the public's concerns have not been addressed and that mitigation doesn't really work. She invited Commissioners to visit the neighborhood and walk the site to see the problems that have been described tonight.

Jeff Tanka, 580 Front Street, Issaquah, and Board President of the Issaquah Crown Condominiums, addressed the location of the Crown Condominiums and how the lighting will impact those residents. He echoed other comments about the impacts of taking out trees at the church, lighting at the middle school and Rainier Trail, lighting on Second Ave., towers on the new sports field, and the relative lack of leaves on trees for 5 ½ months of the year. He said this is the regionalized high spot from which the lighting will be most visible. He said we discussed this with the school district earlier, and so were very surprised to see construction of the lighting towers. It makes us wonder what else has been done that we don't know about. He said the Crown Condominium residents are also being indirectly impacted by parking and the other issues that other commenters have spoken about.

Hearing no additional requests to speak, SOWA closed the meeting for public comment at 8:25 PM.

Commissioner Questions and Discussion

SANFORD asked for clarification of what "lights limited to 10 PM" would mean (Condition 5), given that elsewhere it says the lights have to be turned off within 30 minutes after an event ends. BRENNAN quoted from the City's code that "... main lighting shall be turned off as soon as possible but no more than 30 minutes after an event." He asked Crawford how lighting works on other school sports fields, and whether the 30-minute extension is to allow for cleaning up and closing the facility. Crawford said generally speaking, lights are timed to go off at a specific time, such as 10 PM, rather than rely on a custodian or other person to do it manually. Also generally speaking, clean-up is addressed the following morning, so the additional 30 minutes is to provide parking and pathway lighting as people are exiting the grounds; the field itself and the audience bleachers would not be lit. He continued scheduling events is done by the school district, and by far the most requests for space on the schedule come from City Parks and Recreation. He briefly described the school district's rates for renting out the field.

BRENNAN asked what size crowd could be accommodated at Issaquah Middle School, and does scheduling coordinate with the nearby Issaquah High School. Crawford replied the bleachers at the middle school seat 180-200 people, and yes, there is potentially overlap in scheduling between the two fields.

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HARRISON asked who enforces the “lights limited to 10 PM” provision, and who determines what time is assumed in the phrase “...or as soon as possible.” Crawford explained that can be difficult to enforce. A custodian is in the building, but they are not monitoring the use of the field and don’t necessarily know exactly when people are finished with their event. Typically, he continued, a renter signs up for a given period of time, but the lights are on a timer because it is much easier to use a timer rather than rely on a single individual to get them turned off. HARRISON asked what commitment can you make right now to people about the time the lights would be turned off, based on what is written in Condition #5. Crawford replied as it is written, the lights would go off at 10 PM. HARRISON said it seems the phrase “... or as soon as possible” could be eliminated if the lights are going to be on a timer set to go off at 10 PM. He asked what percentage of events is conducted by private clubs and leagues, not the school district or the City. Crawford said he’s not sure of the percentage, but most use of the field usage when it is not being used by the school district is by the City.

HARRISON asked about amplified sound, including who enforces the provision for “no amplified sound.” Crawford replied the sports field at the high school has a sound system with speakers, but there is none at the middle school. He said enforcement would fall to either the custodian in the building or the school district’s off-site security personnel. HARRISON asked do you think the possibility of amplified sound is a potential issue. Crawford replied it’s possible; users could bring their own boom boxes, for example.

HARRISON said Crawford’s earlier comments indicated that the light poles were put in due to an overzealous contractor. Crawford said yes; the permit had been submitted but not yet approved when construction took place. HARRISON asked how long did construction take. Crawford replied the bases are precast, so his best estimate is that the bases went into place one day and the poles went up the next day.

SANFORD asked will Issaquah Middle School be the first middle school in the City to have sports field lighting. Crawford replied no, and described lighting at other middle schools.

SANFORD suggested that the language in Conditions #3 and #5 is included in the City’s code and may not need to be included as conditions. Sloman replied you are correct that the conditions reiterate the code. She continued staff sometimes elects to include code in the conditions in order to emphasize it and provide clarity. She added if a different technology for timing was available, it could be possible to have the lights timed to go on at different times on different days. That technology may evolve, which led staff to include the phrase “... or as soon as possible.” She referred to the data on page 21 from the City’s Parks staff that indicates that City events are always scheduled to end by 8 PM.

The Commission briefly discussed the impacts and ramifications of stipulating that lights be turned off at 7:30, 8, 9, or 10 PM. BRENNAN asked whether an earlier time would still allow the school district to maximize the benefits of the tax dollars invested in this community asset. Crawford noted the fields are not a major generator of revenue for the school district, and the City is the primary user after the school district.

Sloman suggested the allowed hours could be posted at the fields with the user regulations shown on page 39. Crawford confirmed the regulations are in the process of being updated now. HARRISON said the regulations could also include “no amplified sound.” Others agreed.

SOWA noted a lot of what we heard in public comment was about unmet obligations, parking, traffic, and so on, and asked what is the recourse available to residents who have indicated that

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they are not receiving assistance with their issues. Crawford said a phone number for school district security personnel is posted so people can get in touch with them to address trespassing, parking issues, and so on.

PRICE initiated a discussion of a “special event” provision that would require a separate permit, as suggested during public comment. Sloman said the definition of “special event” is somewhat vague, but would probably include events such as fun-runs or events like a volleyball tournament. HARRISON said designating an event as “special” is almost unnecessary; events are either school events, City events, or private events. Sloman said she’s not sure that the experience would be any different for residents even if they were designated as “special,” and a special-event permit would not necessarily address the concerns that have been raised tonight. Crawford noted that individual private users are not a high percentage of users, and that there is more demand for fields than there is time available. The Commission continued to discuss whether or not a special designation for “special events” would be helpful or is necessary.

SOWA asked the lighting consultant, Fong, to comment on how lighting could be screened. Fong said there are ways to shield bulbs so they can’t be seen by using a sheet metal shield painted black that wraps around the fixture. She said her recommendation was to do a field verification test because these fixtures are better shielded than what many might be familiar with, and so additional measures may not be necessary. She gave her perspective on how topography affects perceptions of lighting, and said the topography of the site is another reason why a verification test is recommended. BRENNAN asked how do you determine whether shielding is appropriate or not. Fong described how lighting would be measured on the field, and how impact on residences would be measured by making arrangements with residents to allow measurements to be taken inside their homes, if they are willing to do that. Sloman said a new condition could be added that requires an assessment of lighting impacts from residences and those results used to determine appropriate shielding measures. SANFORD asked would the verification test be done in the dark. Fong replied yes. This time of year, that would mean doing the test at 10:30 PM or so; in the fall, the test could be done earlier. SANFORD asked would residents’ feedback be included as part of the assessment. Fong replied yes. Sloman noted prior to any assessment, the City would provide notification of the test using the “within 300 feet” notification process. In addition, residents can talk to their neighbors and let them know when and why the evaluation is taking place, she added.

BRENNAN asked does the City use restricted resident-only parking zones. Sloman said it has been discussed but has not gone forward. She noted that three new City police personnel have recently been hired, with the expectation that more parking enforcement will be available.

SANFORD asked what advice does staff have for the community in terms of getting some support for the operational issues other than lighting that we have heard about tonight. Sloman said staff will be making a report back to the Mayor. BRENNAN said something for the City to explore is more frequent communication between the City and the school district on the operation of school district properties. More frequent dialogue would be helpful so that frustrations can be expressed and solutions discussed. HARRISON said the communication problem with the school district is not new. This is a textbook example of a failure in communications that causes people to lose faith in their City government, and it has to be addressed. Something needs to change, he added.

Commission Recommendation

MOVED BY BRENNAN, SECONDED BY PRICE that the Development Commission approve the revision to Master Site Plan (MSP) 14-00002 and Site Development Permit (SDP) 14-00001

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for the Issaquah Middle School to allow sports field lighting, Project Number PRJ 12-00013, as described and evaluated in the Staff Memo dated May 31, 2018, with Attachments 1-6, and subject to the revised conditions contained in the Staff Memo, including amendments to Condition #5 and new Conditions #6 and #7, as follows:

Condition #5. Issaquah Middle School sports field lighting will be limited to 8 PM. The field lights shall be turned off as soon as possible following the end of the event and at no time longer than thirty minutes following the end of a game or event, but in no case past 8 PM.

Condition #6. Aim fixtures and provide shielding such that the fixtures do not create adverse glare conditions for any drivers on the adjacent Second Ave. SE, and minimize glare on neighboring residential properties. This is to be done in collaboration with, and after notice is given to, property owners.

Condition #7. Prohibit the use of amplified sound on the field, and notice of this condition will be included with field rules placed at entrances to the field on a durable sign.

MOTION CARRIED by a majority vote of all Commissioners present (HARRISON voted in the minority).

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 revision to the Issaquah Middle School sports field lighting project, MSP 14-00002 and SDP 14-00001, subject to the conditions listed in the Staff Memo, modified in this evening's staff presentation, with conditions as amended tonight and additional conditions.

MOTION CARRIED by a majority vote of all Commissioners present (HARRISON voted in the minority).

SOWA expressed appreciation to members of the public for coming to tonight's public hearing and expressing their thoughts and opinions.

FOLLOW UP DISCUSSION: Roof Form for Gilman Lofts (SDP 17-00003) (I/NQ)

Sloman reviewed the Development Commission's previous review and discussion of the SDP for Gilman Lofts, specifically Condition #26 that stipulated a more complex roof design. She continued the applicant has made some changes, and staff is now bringing back the applicant's proposal. She showed a diagram of what was originally proposed for the Arts and Crafts Style building, and what the applicant has proposed. She said part of the issue is that "roof complexity" was not explicitly defined in the manual's design standards. Instead, the manual relies on phrases provided about massing and on photos. She continued staff feels the applicant has made sufficient changes to achieve the goal set out in the design manual for roofing architectural standards.

SANFORD said the proposal looks like a good solution. BRENNAN agreed, and said the result is a roof design that adds complexity and results in an improved building. HARRISON agreed, and said he is encouraged by how the design manual has worked in terms of process and achieving the intended design goal. PRICE said he thinks using the manual on this project has provided lessons for how the Commission can use this tool most effectively in the future. SOWA said he agrees that the resulting project is a better product than would likely have been possible a year ago before the manual was available.

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OTHER BUSINESS/ANNOUNCEMENTS/ADJOURN

Sloman said the Council has lifted the development moratorium that has been in place since late 2016, and while there are no immediate projects that require Development Commission review, a number of new City tools have been developed as a result of the moratorium. She continued it is staff's intention to create a mock project for the Commission that will allow members to become acquainted with new tools, such as the new district visions, affordable housing regulations, new parking standards, and so on. It is our intention to be sure you have a good opportunity to use and test these tools before having to apply them to a real-life project, she concluded, and so staff is planning a mock project for the Commission to review.

SOWA asked staff to e-mail information about the upcoming Short Course on Local Planning to be held at the City of North Bend on June 14 to Commissioners. The Commissioners also briefly discussed the advisability of scheduling some site visits of recently completed projects in the City and possibly in adjacent communities. SOWA also asked staff to inform Commissioners when the lighting site visits to individual residences, as discussed earlier in the meeting, are scheduled.

Sloman noted she will be sending a link to training for new members to all Commissioners. She added the Commission will also elect a new Chair and Vice Chair at its next meeting.

With no additional business to discuss, SOWA adjourned the meeting at 9:46 PM.

Respectfully submitted,

Susan Lowe
Recording Secretary

(Note: Alternate Member(s) did not vote at tonight's meeting as there was a quorum of Regular Members present.)