

**CITY OF ISSAQUAH
Development Commission
SPECIAL MEETING**

7:00 PM
August 15, 2019

MINUTES

Council Chambers
135 E. Sunset Way

COMMISSION AND ADMINISTRATIVE PERSONNEL PRESENT

Commissioners Present:

Richard Sowa, Chair
Mel Morgan, Vice Chair
Michael Brennan
Kevin Price
Richard Sanford
Ben Rush
Arthur Schulte, Alternate
Brooke Shore

Commissioners Not Present/Unexcused:

Mark Rigos, Alternate
Nischitha Venkatesh, Alternate

Administration/Staff:

Lucy Sloman, Land Development Mgr.

Applicant Team:

Eric Evans, Shelter Holdings
Tia Heim, Shelter Holdings
Jacquie Quarré, Foster Pepper PLLC
Gary Young, Shelter Holdings

Others Present:

Zachary Lell, City Attorney's Office
Ray Liaw, Van Ness Feldman LLP

1. CALL TO ORDER

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

2. APPROVAL OF MINUTES

a) It was the consensus of Development Commission members present that minutes of the Development Commission meeting on April 24, 2019 be approved as presented.

b) It was the consensus of Development Commission members present that minutes of the Development Commission meeting on May 1, 2019 be approved as presented.

c) It was the consensus of Development Commission members present that minutes of the Development Commission meeting on May 29, 2019 be approved as presented.

d) It was the consensus of Development Commission members present that minutes of the Development Commission meeting on July 2, 2019 be approved as presented.

3. AGENDA ITEMS

a) **High Street Collection at Issaquah Highlands Preliminary Plat Community Conference, (I), COM19-00001; PRJ16-00013**

SOWA explained the purpose of holding a Community Conference (see page 29 of 154) and outlined the way the meeting will proceed, including how to be added to the mailing list as a party of record.

Staff Presentation

Sloman made staff's presentation, including the difference between a preliminary plat and a Site Development Permit (SDP); the site and context for the application being discussed tonight, including images; a description of the proposed layout of the plat; proposed, existing, and to-be-completed streets; the proposed pedestrian circulation system; and next steps, leading to a final decision by the Hearing Examiner. She said the Staff Response Memo will address public comments received by email today, in addition to emails already distributed to the Commission.

Applicant Presentation

Young began the applicant team's presentation. He explained his background with the property in question and gave details about Shelter Holdings, including its holdings and projects in Issaquah. He described the application as a step forward in the process of responding to what Shelter has heard from the community about what is desired in terms of development for this property.

Heim briefly explained the City and Shelter's disagreement about the vesting status of the application for the plat in question. She described the problems Shelter encountered in responding to the draft Staff Report that Shelter received on August 5, 2019, and distributed a set of written corrections to errors in the Staff Report. She gave more details about the vesting status of the application; described errors in the Staff Report, such as the project narrative, mislabeled submittals, and missing information in the Staff Report; described other corrections to information in the Staff Report, including the chronology of events of how this plat application has been developed and reviewed; her perception of how the City has treated this application as compared to others; and the lack of conditions and a recommendation in the Staff Report.

Quarré commented on the Staff Report and the written comments that Shelter Holdings has provided tonight. She spoke to the vesting status of the application, and submitted a letter from Keith Niven, Development Services Director, to Shelter Holdings about the project's vested status. She spoke to the discrepancy between the application's vesting status as reflected in the Staff Report and the vesting decision in the memo from the Director. She noted the most current information as submitted by Shelter was not included in the Staff Report or in staff's presentation, and submitted additional written information that was not included in the Staff Report. She asked that the changes Shelter Holdings is requested be made before this material is handed over to the Hearing Examiner.

Evans made additional comments about Shelter Holdings' application, and described the property in question; showed a vicinity map of the High Street Collection location, including how the property would be divided into ten lots; described the allowable development by block for the property in question; briefly discussed potential uses of the property; provided some of the circulation and transportation analysis that has been done to date; and showed diagrams of the blocks in question, including lot lines. He also addressed what feedback the applicant team is looking for from PPC and the community tonight.

Public Comment

Mike Zalewski, 943 3rd Ave., West Highlands Park resident, said it sounds as though tonight's discussion is about generalities for the plat, and there will be other opportunities to provide input for different venues on each parcel. He continued with his concerns about making sure all activities are accounted for on Discovery Drive, such as Swedish Hospital. He also spoke about the need to think about some alternatives to a stop light at the intersection with 8th Avenue to avoid a potential back-up situation. He also said he is concerned that there is adequate room on all sides for bicycle and pedestrian access.

Commission Questions, Clarifications and Comments

SANFORD asked for clarification of the maximum block size, and the source of that information (CIDDS, IMC, replacement regulations, etc.). Sloman replied the Highland's Architectural Review Committee (ARC) has purview over design matters in the Highlands, so the Highlands is excluded from CIDDS where there are provisions in 18.19-B (the "replacement regulations"). She explained that CIDDS applies where provisions do not exist in the replacement regulations, and distributed copies of 18.19-B to Commissioners. MORGAN asked for more clarification of how the replacement regulations work with CIDDS. Sloman replied the starting point for development in the Highlands is to refer to the replacement regulations, and where elements, such as parking, are not addressed there, then refer to

CIDDS. If the element is not addressed in CIDDS, then refer to the IMC. She added staff is rewriting Chapter 18 of the City's code now, but for now, it requires incrementally stepping through the regulations beginning with the replacement regulations.

MORGAN asked about block size. Sloman replied block standards are not addressed in the replacement regulations; they are regulated as performance standards, and not prescriptive standards, in the CIDDS guidelines. She gave more details about how 18.19.B is organized and what it contains. Quarré said the applicant team is seeking some clarification on that as well. She continued there is some confusion, as the applicant has been told they are vested to the replacement regulations and the CIDDS do not apply. She said the applicant team is confused as to why the Staff Report applies the replacement regulations if in fact they do not apply.

SANFORD said the Guiding Principles (page 32 of 154) speak to establishing a "pedestrian friendly design." Some of the blocks appear to be over 500 feet long, he continued, and said that doesn't seem to be giving priority to a pedestrian and bicycle orientation. Heim replied the Issaquah Highlands regulations don't have a minimum block size. The design will include pedestrian connections made through the projects as they move forward. She continued there are many opportunities for pedestrian access through blocks, and we agree there needs to be good connections, particularly as this plat serves as an important connection between Swedish and Grand Ridge Plaza. SANFORD asked so there will be through-block passages of some kind. Heim replied yes, there will be pedestrian connections. Sloman added staff is interested in the community's perspective on that as there is not a prescriptive standard.

BRENNAN expressed his concern about the bicycle-pedestrian connections shown on the diagrams, specifically how they will work. He continued the experience of using them should be intentional and make sense. For example, how does someone go from the multi-use trail to the bike lane. Connectivity and consistency for pedestrians and bicyclists is very important in how this plays out, he noted. Sloman agreed. In many neighborhoods within the Highlands, she continued, the assumption is that when bikes and cars share the road they are moving at the same pace. However, on other significant streets, such as Discovery Drive, separate bicycle facilities are shown. She gave additional examples.

PRICE said it seems like the only thing under the Commission's purview here is the preliminary plat review, and all other design review goes to ARC. What is under our purview, he asked. Sloman replied the site development permits have already been received. The IHCA's Architectural Review Committee reviews the development applications for compliance with its standards for color, styles, doors, and so on. RUSH asked whether the architectural review will be done by the builders' ARC or the Community Association's ARC. Sloman said she is aware that the Highlands has multiple architectural review groups, and it is her understanding there is a specialized review group for these projects.

SCHULTE asked about the time frame for developing this plat. Will the work be phased, he asked. Heim said we don't know yet, but there is strong interest from the community and tenants to move forward and we would likely do that in a phased manner. SCHULTE said the connections between blocks, and how pedestrians would move from block to block, is very important. He also asked about the reference to the SEPA completed in 1995, as stated in the Staff Report, and asked whether another SEPA would be required. Sloman replied that is another item on which the City and applicant do not agree. Quarré said the applicant team's understanding is that the SEPA has been completed for this project under the Highlands Development Agreement. If another one is needed, that is news to us. Heim added the SEPA done in 1995 applied to the eventual build-out of the entire Highlands.

MORGAN asked clarifying questions about the roads, streets, and connections shown on the diagrams, including how Deer Lane, High Street, Ellis Street, Discovery Drive, Federal Drive, and Park Drive will be affected. Using site diagrams, the Commissioners asked additional questions of the applicant and staff about how new street and pedestrian connections will function, including access to the multi-use trail.

SCHULTE asked whether the Fire Department has been consulted about access points. Sloman replied yes. MORGAN asked whether lot line adjustments are possible if required. Sloman replied yes; short plats are also a possibility if further subdivision is needed.

BRENNAN asked whether any onsite water retention structures will be required. Heim replied we don't anticipate having any open ponds. SANFORD asked about the fee in lieu of water retention regulation referenced on page 83 of 154 ("This fee will be calculated as \$.0628 per impervious square foot...") and asked how those measurements were calculated. Heim replied the measurements were supplied by Doug Schlepp, City Engineering consultant, and he would be the person to comment on those engineering issues. MORGAN said if a developer can just pay a fee in lieu of detention, the existence of the water still needs to be addressed. What does the City do with the fees it collects in those situations, he asked. Sloman replied that information is from the applicant's materials, not the City's. However, she continued, the City has done an evaluation of the stormwater detention for this area, and it indicated that there was excess capacity in a flow splitter near Westridge South but Staff doesn't know if there is excess capacity at this time. Staff would have to assess the whether that is available during the more detailed review of the plat, she added.

MORGAN said the general layout as proposed makes sense, and the pedestrian path will provide a big benefit for the entire area. BRENNAN agreed, and said he doesn't see anything here that is inconsistent with what we want to see in a mixed use area. He said how the connections work will be very important in terms of the pedestrian and resident experience being created here. He also noted that the applicant spoke about some differences in the information in the Staff Report that needs to be reconciled as this application advances.

SOWA noted that comments have been received from the community about the kinds of development that are planned for this plat, and asked when do decisions about uses get made, as well as resolution to the differences between the City and the applicant on the applicable regulations. Sloman replied the Hearing Examiner will be the deciding body about which regulations apply. On the public comment question, the land use permits have gone through the permit and review process, and what has been proposed, specifically a storage facility, is an allowed use under the replacement regulations. SOWA asked so it is within the purview of the developer to decide. Sloman replied a self-storage facility is an allowed use and thus is allowed under the regulations. She added the Staff Response Memo will address comments received on the proposed uses.

Quarré said the applicant team is confused about some of the answers we have received from the City tonight about vesting, and is requesting clarification before taking this matter to the Hearing Examiner. Staff made a note of it.

4. ADJOURNMENT

With no further business to conduct, SOWA adjourned the meeting at 8:31 PM.

Respectfully submitted,

Susan Lowe
Recording Secretary