MINUTES

SPECIAL MEETING
DEVELOPMENT COMMISSION
7:00 p.m. Thursday, March 2, 2022

Alternate Meeting Format: On March 6, 2020 the Mayor declared a civil emergency due to the outbreak of novel coronavirus (COVID-19). On March 24, 2020 the Governor issued Proclamation 20-28 relating to the COVID-19 emergency and open public meetings. The proclamation has been extended. Due to these factors, the meeting was held using a remote meeting platform.

Chair Brennan stated that the Public Hearing was quasi-judicial.

1. Call to Order

The meeting was called to order at 7:10 p.m. by Chair Brennan.

Development Commissioners Present:

	Chair Brennan, Commissioners Dillon, Ikeda (Alternate), Morgan (Alternate), Sanford, Shore, and Sowa
Absence:	Vice Chair Price (Excused)
Staff Present:	Cristina Haworth, Planning Consultant Lucy Sloman, Current Planning Manager

Chair Brennan stated that Commissioners Ikeda and Morgan would serve as regular Commission members at the meeting due to the resignation of one Commissioner and the recusal of another.

2. Approval of Minutes

There were no comments or corrections to the February 2, 2022 minutes and the minutes were approved.

Public Comments (General)

- There were no written comments or requests to speak.

3. Public Hearing *(00:03)*

a) Site Development Permit, Master Site Plan, Five Administrative Adjustments of Standards (D)
Presented by Cristina Haworth, Planning Consultant and Todd Sawin, AHBL

CHAIR BRENNAN stated the purpose of the meeting would be for the Commission to review and make recommendations and findings of fact to be forwarded to the city Council on the Master Site Plan (MSP20-00001), Site Development Permit (SDP20-00001) and five Administrative Adjustments of Standards (AAS20-00012, AAS21-00001, AAS21-00002, AAS21-00005 and AAS21-00006) for the Providence Heights project.

CHAIR BRENNAN stated that the order of the Public Hearing would be the Appearance of Public Fairness Disclosures for the Commission, the Public Hearing opened, a staff presentation, applicant presentation, Public Comment opened, an opportunity for rebuttal by the applicant and staff, the Public Hearing closed and deliberation by the Commission on the information received to date and in the Public Hearing. The Commission will then take action and the item will be concluded on the quasi-judicial permit and a recommendation forwarded to the city Council. Public Comments are expected to continue to be taken through the March 3, 2022 meeting. The remainder of the Public Hearing agenda is scheduled for March 16, 2022.

(00:06) Sloman presented the Appearance of Public Fairness Disclosures. Slide one regarding partiality was read and all Commissioners were polled. COMMISSIONER DILLON stated *no* to all questions except that the employer of COMMISSIONER DILLON has a business relationship with the engineer of the applicant, but there is no involvement on this project and COMMISSIONER DILLON had no reservations regarding the ability to judge fairly. COMMISSIONER MORGAN stated *no* to all questions with the exception that in-laws live within Providence Point, but the project has not been discussed and there is no impediment to sound judgement. The remaining Commissioners replied *no* to all questions.

Sloman stated that VICE CHAIR PRICE had submitted a letter to recuse from the proceedings due to an Appearance of Fairness conflict.

Sloman displayed the next slide, and all Commissioners were polled. All Commissioners replied yes.

Sloman asked if anyone in attendance wished to challenge the participation of any Commissioners and there were none.

CHAIR BRENNAN asked that the Commissioners vote on the recusal of Vice Chair Price. All Commissioners voted to excuse Vice Chair Price.

(00:13) CHAIR BRENNAN opened the Public Hearing for the Providence Heights project - Master Site Plan (MSP20-00001), Site Development Permit (SDP20-00001) and five Administrative Adjustments of Standards (AAS20-00012, AAS21-00001, AAS21-00002, AAS21-00005 and AAS21-00006).

Haworth stated that a correction should be made to the section summary. Page 74 should read that the proposal complies with minimum tree retention requirements, second paragraph, an oversight in editing. New attachments have been added to the record; Attachment 102 contains all public comments received between February 16, 2022 and March 2, 2022 by 5:00 P.M. Comments were forwarded to the Development Commission upon receipt but will be officially packaged as an attachment. Additional comments are expected to be received and these will be added to the record on March 3, 2022. Attachment 103 is a SEPA Addendum dated February 25, 2022 analyzing project phasing. Attachments 104 and 105 are slide deck presentations.

(00:17) Haworth presented the project. At the end of the process outlined by CHAIR BRENNAN, city Council will deliberate and issue a Notice of Action, appealable to King County Superior Court. The Notice of Action will be given to all parties of record.

(00:52) CHAIR BRENNAN opened Commissioner Questions.

COMMISSIONER SANFORD referred to the minutes from the July 15, 2020 Community Conference, General Project Light Requirements, and asked if the information is within the report for this project. Haworth replied that there is a two-page electrical site plan, Attachment 101, that identifies proposed lighting and photo metrics showing how light is distributed across the site. COMMISSIONER SANFORD stated not seeing information regarding how lighting would spill from buildings or intensities levels. Haworth replied that the items are a part of the photometric calculation shown on page two, and lighting design does comply with the illumination requirements set for the in the Issaquah Municipal Code for Outdoor Lighting. COMMISSIONER SANFORD asked for clarification regarding the height of the light poles on the football field; the minutes from July 15, 2020 state that stadium lighting information must be included in the lighting plan submitted. Haworth replied that some additional information is included with the SEPA checklist. Attachment 69 is a memo summarizing athletic field lighting, adequate for making a decision on the permit. The applicant will need to show additional information for construction permits which is normal. Building use permits are more conceptual in demonstrating compliance or reasonable compliance with code requirements with or without conditions. COMMISSIONER SANFORD asked if the proposed intersection at 228th Avenue Southeast is the responsibility of the city of Sammamish. Haworth replied correct. COMMISSIONER SANFORD asked if there is a Memorandum of Understanding (MOU) or other document between Sammamish, Issaquah and the School District regarding 228th Avenue Southeast. Haworth replied that there is not currently an MOU but asked for in conditions of approval. COMMISSIONER SANFORD asked for clarification that there is no current MOU and Haworth replied correct.

COMMISSIONER MORGAN asked if a requirement in the Central Issaquah Design and Development Standards, chapter 10.11 prohibiting tree removal from a vacant lot prior to development would apply to the elementary school site as the site is not expected to be developed for several years. Haworth replied that the requirement is to prevent tree removal on properties undeveloped or which will not be developed. The Site Master Plan (SMP) specifically contemplates phasing over the course of years. Screening vegetation will have a chance to grow as much as possible before phase two improvements are built, also replacing poor condition trees with much healthier trees actively maintained by the School District. There are advantages to allowing the tree removal with phase one improvements. COMMISSIONER MORGAN asked if there is a requirement for construction on the site within a certain number of years. Haworth replied that there is a condition of approval, number 11; the land use decisions would be valid for three years from the later of either application approval or the resolution of appeals. One-year extensions can be requested by the applicant for review by city staff. The city will evaluate if construction is proceeding on pace or if a new land use process will be needed.

CHAIR BRENNAN asked how mitigation required in conditions would occur if construction does not proceed to phase two, such as revegetation of the property, retaining walls and stockpile. Haworth replied condition 12 addresses the question. A stockpile would need to be hydroseeded, fencing consistent with aesthetic treatment through the site, and functional temporary erosion and sediment control measures. There are additional opportunities to make conditions related to specific constructed features on site work permits which authorize initial improvements. CHAIR BRENNAN asked if there are limitations on hours under which sports field lighting and amplified sound can be used. Haworth replied that there are some self-imposed limitations that the applicant has included in mitigation. There is also language in condition 37 prohibiting pre-trip bus inspections during nighttime hours defined by State law, 10:00 P.M. to 7:00 A.M., requirements for noise monitoring in conditions 38 and 39, and a condition which could not be immediately identified by number regarding turning off the sound system at 10:00 P.M. or as soon as an event has concluded, followed by low-level lighting to assist with egress.

COMMISSIONER SHORE asked for clarification regarding condition 36 and lighting that there are no criteria beyond that lighting information that must be submitted. Haworth replied that performance of the specific products would be evaluated against code requirements, adopted outdoor lighting standards. COMMISSIONER SHORE asked for clarification that light spilling to neighboring properties would be addressed and Haworth replied yes. COMMISSIONER SHORE stated that implementation is not mentioned in condition 38 regarding noise levels. COMMISSIONER SHORE stated that in condition 39 regarding sporting event noise, there is no action required if levels are exceeded, monitored but no remedy if exceeded. Haworth replied that both conditions would be examined. COMMISSIONER SHORE stated not having seen hours for events and Haworth replied that additional information could be brought to the next meeting on March 3, 2022.

COMMISSIONER IKEDA asked how conditions will be enforced. Haworth replied that there are different enforcement mechanisms; some are tied to construction permits where relevant

such as additional information submitted with an application and a review process. Some are tied to occupancy of the building, to demonstrate compliance with conditions of approval before the building can be occupied. Noise monitoring is ongoing with regular recording requirements for the life of the project. The city also has the power to stop work on the site until any violation is resolved. COMMISSIONER IKEDA asked if the city would provide regular inspections and assessments and Sloman replied that there are three inspectors in three categories; building inspectors, site inspectors for infrastructure and erosion control, and a planning inspector coordinating landscaping and other site features which are not under the review of the site inspectors. COMMISSIONER IKEDA asked if regular inspections for erosion control would be conducted by the city around the temporary stockpile for excavation. Sloman replied that inspections would be conducted in combination with a water quality expert. Haworth replied that the city would also take reported complaints.

COMMISSIONER SHORE asked for clarification regarding condition 53, enforcement of conditions. Haworth replied that Covenants, Conditions & Restrictions (CC&Rs) are an added enforcement mechanism to address any violation of CC&R.

10- Minute Break

(01:26) CHAIR BRENNAN asked the applicant to introduce the team and proceed with the presentation.

Tom Mullins, Director of Capital Projects, Issaquah School District stated that representing the School District at the presentation was Ron Thiele, Issaquah School District Superintendent, Michael Davis, Design Principle *with* Bassetti Architects, Jordan Kiel *with* Bassetti Architects, Todd Sawin *with* AHBL, Marnie Heffron *with* Heffron Transportation, and Denise Stiffarm – School District Legal Counsel.

(01:28) Thiele began the applicant presentation with background and project planning components.

(01:41) Davis continued the presentation regarding design concepts and site plan.

(01:49) Sawin continued with the history of the project from a program standpoint.

(02:06) Heffron noted a correction to a reference on page 72, section 7-A-13; the first bullet refers to a report that has been superseded. The revised Transportation Technical Report is dated February 16, 2021. The reference will be updated, and attachments will lead to the correct report. Heffron continued with the transportation aspect.

(02:16) Sawin continued with further details.

(02:19) CHAIR BRENNAN opened Commissioner questions for the applicant.

CHAIR BRENNAN asked what the traffic study anticipates for cut-through traffic related to Southeast 40th Street and what mitigation would address concerns. Heffron replied that

studies have been done regarding the potential for cut-through. The neighborhood is a part of the attendance area for the high school and there are currently buses already servicing the neighborhood. There will not be more buses in the neighborhood. More traffic unrelated to school is a possibility and the configuration created is a *Flying T* concept; the center turn lane is partitioned off from through traffic. A left turn will be easier compared to the current configuration, but not enough of an advantage to encourage cut-through traffic through the neighborhood. CHAIR BRENNAN asked for clarification that there would be a physical barrier between southbound traffic at the left turn. Heffron replied correct.

COMMISSIONER SANFORD asked for clarification regarding Attachment 69 that lights around the football field and track will be 80 to 90 feet high, and that fully shielded luminaires with extended visors ensure there is no point off the site where the light source glare will be visible. Sawin replied that taller poles than in the past will be used as more light is aimed down with less glare into the neighborhoods. A slide was displayed for understanding. Sawin replied that the fully shielded luminaires with visors will not any produce glare off the site.

COMMISSIONER MORGAN stated concern regarding the retaining wall at the baseball field, a 38-foot tall, three to four-story building height, and asked for clarification regarding the top and bottom measurements of the wall on a steeply sloped area, page L1.9LU of the plan. Sawin replied by describing details on a rendering but not locations for audio. COMMISSIONER MORGAN asked about green screen wall and Sawin replied that different options are being considered for vegetation, and that the District had added the wall as a SEPA condition. COMMISSIONER MORGAN stated that the green screen wall will reduce the potential for graffiti. COMMISSIONER MORGAN asked for page L2.6LU to be displayed and asked, regarding deciduous trees at a driveway entrance to a building within Providence Point, if the trees can be changed to evergreens for permanent blocking between the neighboring property and school. Sawin stated that changing to evergreen trees would not be an issue, but both deciduous and evergreen trees should present to break trees up. Adding different planting types along the edge to ensure blocking in winter is doable.

COMMISSIONER DILLON asked if stormwater plots are available to show. Sawin stated that plots are a part of the record and can be displayed now or later. All duration requirements are being met with the Western Washington Hydraulic Model. Sawin replied that the information would be brought back. CHAIR BRENNAN stated that flow conditions during various volume periods should be explained.

COMMISSIONER IKEDA asked for clarification regarding the design storm the stormwater system is designed to. Sawin replied a series of storms, 50 years of run-off through the model, matching durations from 50% of the two-year storm up to the 50-year storm mark. COMMISSIONER IKEDA asked how a 100-year event would be handled. Sawin replied that at that point, code requirements would be exceeded, and an overflow condition has been designed to 228th Avenue Southeast. Flows that would go to Providence Point and neighboring communities are reduced in analysis. COMMISSIONER IKEDA asked if there are ways to keep people from climbing or jumping from the retaining walls. Sawin replied that there is fall protection on every wall on the site as required by code and from a School District

perspective to keep kids as safe as possible. Additional fences have been added to ensure the wall cannot be scaled. COMMISSIONER IKEDA asked if the 12% slope grade at the entrance can be reduced. Sawin replied that the team had hoped for closer to 10%. 12% is the maximum the city requires, and that the fire department desires. The 12% is needed to minimize onsite grading and earthwork.

COMMISSIONER SANFORD stated have further questions but being mindful of time and asked if questions to the applicant can be continued at the March 3, 2022 meeting. CHAIR BRENNAN replied that questioning can continue at the beginning of the March 3, 2022 meeting before public comment. After public comment there would be another opportunity to ask the applicant questions. During deliberations, questions can only be asked of staff. COMMISSIONER SANFORD asked if traffic noise from 228th Avenue Southeast is included in the decibel results in the study on Attachment 46. Sawin replied that the specific question needed to be researched. COMMISSIONER SANFORD stated that the entry to the site is being reconfigured off of 228th Avenue Southeast and asked if an effect in which the sound from 228th Avenue Southeast could be funneled directly uphill toward Providence Point had been modeled, or if the sound was exempt from the study. COMMISSIONER SANFORD stated that this answer and further questions could be deferred to the next meeting on March 3, 2022.

CHAIR BRENNAN asked about mitigation to screen tall wall conditions on the west portion. Sawin replied that walls have been pulled back from the hillside, 12-feet at the tallest point, allowing for retention of more vegetation and existing trees. CHAIR BRENNAN asked if there will be vegetation in the wall condition along 228th Avenue Southeast. Sawin replied that widening 228th Avenue Southeast into the hillside is problematic from a grading standpoint. There are vegetation and pedestrian scale improvements planned.

CHAIR BRENNAN stated that remaining questions could be asked and that the Public Hearing would continue March 3, 2022, primarily for public comment.

4. Reports

Sloman reminded the Commission that terms for four seats will expire in 2022. The application period had ended but has been extended through Sunday, March 6, 2022. Chair Brennan and Commissioners Sanford, Sowa and Ikeda are encouraged to submit applications to renew, as well as anyone interested in any Boards or Commissions, to Issaquahwa.gov/apply.

5. Other Business/Announcements

Dhaliwal stated not having additional business or announcements.

6. Adjournment

- With no further business to conduct, CHAIR BRENNAN adjourned the meeting at 10:03 p.m.

Respectfully submitted,

Carolyn Garza, LLC
Recording Secretary