



## MINUTES

### SPECIAL MEETING DEVELOPMENT COMMISSION 7:00 p.m. Thursday, March 3, 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.*

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Chair Brennan stated that the continuation of the Public Hearing from 3-02-22 was quasi-judicial.

#### 1. Call to Order

The meeting was called to order at 7:01 p.m. by Chair Brennan.

Development Commissioners Present:

Chair Brennan, Vice-Chair Price, Commissioners Dillon, Ikeda (Alternate), Morgan (Alternate), Sanford, Shore, and Sowa

Absence: Vice Chair Price (Excused)

Staff Present: 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.

#### Public Comments (General)

- There were no written comments or requests to speak.

#### 2. Public Hearing (Continuation from March 2, 2022)

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a) **Site Development Permit, Master Site Plan, Five Administrative Adjustments of Standards (D)**

*Presented on 3-02-22 by Cristina Haworth, Planning Consultant and Todd Sawin, AHBL*

CHAIR BRENNAN stated that after Public Comment at this meeting, the Public Hearing would likely be continued to March 16, 2022 to receive rebuttal from the applicant and staff. Following the rebuttal, the Public Hearing will be closed. The Development Commission will then deliberate and act before concluding the agenda item.

**(00:05)** 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 asked if anyone in attendance wished to challenge the participation of any Commissioners and there were none.

CHAIR BRENNAN stated that there were remaining Commissioner questions for the applicant following the presentation on 3-02-22.

**(00:09)** COMMISSIONER SANFORD stated that in the Sound Study, a question was if sound from 228<sup>th</sup> Avenue Southeast had been included in measurements as part of the baseline. In Appendix B of the attachment, that sound was included was found on page B-1. The subsequent question is then, as the access road to the property is enlarged in width and with removal of trees, if the change would act as a funnel increasing the sound from 228<sup>th</sup> Avenue Southeast toward the Providence Point area if the to-be state was included in the model. Adam Jenkins with Greenbush Group replied that all existing ambient noise conditions were reported in the noise study. Sound emissions on 228<sup>th</sup> Avenue Southeast were not predicted as a part of the noise study. The noise study focused on noise sources within the site perimeter subject to the applicable noise code specific to operations within the boundary. Traffic on 228<sup>th</sup> Avenue Southeast is exempt from the element of the noise code being reviewed pursuant to this project. Regarding any reflecting of sound to Providence Point, an increase in screening elements are expected to reduce sound levels at Providence Point. COMMISSIONER SANFORD asked for clarification that the clearing of additional terrain and widening of the access road to the property would not create a substantial increase in sound volume on the road below onto the property. Jenkins replied correct. COMMISSIONER SANFORD asked for clarification regarding 24 speakers on the track and football field areas with the concern being field acoustics exceeding sound level code limits for neighboring property lines, Attachment 49. Jenkins replied yes. COMMISSIONER SANFORD asked for clarification that there would be two types of speakers, community R-1/R-5, and Bogen, and

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stated that the Bogen speakers would be recommended to be operated at four watts. Jenkins replied that there should be compliance with the code requirement but that condition number 39 in the staff report will require measurements of the sound system to ensure proper tuning. As a part of commissioning the sound system, the sub-contractor will verify sound levels during tuning. If there is any exceedance of code regardless of initial sound settings, settings will be reduced if limits are exceeded. COMMISSIONER SANFORD asked if community speakers would be operable at the recommended one watt. Jenkins replied yes, conservativeness is built into noise models and the system will likely be able to run higher. COMMISSIONER SANFORD asked if a High School band during a football game had been included in the noise study. Jenkins replied that a band was not modeled as a part of the noise study. There is an exemption in code is for public events and only considered is sound levels from the Public Address system.

CHAIR BRENNAN stated that there were no remaining Commissioner questions.

CHAIR BRENNAN stated that over 200 written comments have been received after the staff report and project packet were issued. All have been forwarded to the Development Commission for consideration and added to the record, including written comment received today. The next opportunity to speak for anyone remaining after this meeting will be March 16, 2022.

CHAIR BRENNAN opened Public Comment (00:24).

- Dave Osmer, Issaquah School District (ISD) resident, stated empathy for the task before the Commission, having chaired the Design Commission for several years, but never having presided any project remotely close to the scale and complexity of the proposed. Osmer stated appreciation that all public comments would be considered before deliberating. One flaw of the project is that contrary to the staff report and ISD claims, the proposal is not compatible with the surrounding neighborhoods as required by Issaquah Municipal code (IMC) section 18.07.480. No other high school in Issaquah has a 35-foot-tall grandstand structure and two large ball fields located this close to residential housing. As a result, significant adverse effects on the neighborhoods will occur, including substantial increases in the volume of stormwater discharge from the impervious surfaces of the grandstand as well as significant visual, noise and night time light intrusions on nearby properties. Written public comments have pointed out the weaknesses, erroneous code interpretations and incorrect analysis and conclusions by ISD of noise and other impacts. Thus, the adverse impacts of the proposed grandstand, ball fields and spectator amenities which in places are located less than 150-feet from neighboring residences is far greater than reported. These impacts are not being acknowledged or mitigated by the proposed plans. Furthermore, the district persists in spending taxpayer money for the grandstand and spectator amenities when the entire project is \$78 million over budget for a facility that will be used to capacity only four or five times a year. There is no logical reason for not sharing Skyline High stadium for interscholastic competition as the stadium is empty many Friday nights of football season. Much less impactful and far less expensive

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facilities could be provided on the proposed site for team practices and physical education classes. Contrary to the assertion of Mr. Thiele, Superintendent, at the meeting yesterday, it has never been suggested that students should be bussed to Skyline for practices and physical education. Please require the applicant to remove the eyesore grandstand from design, or better yet, deny the ill-conceived proposal all together.

- Roger Anderson, Issaquah resident, stated having been a substitute bus driver for ISD for several years, familiar with traffic patterns and volumes. A traffic consultant had answered a Commissioner question during the meeting yesterday regarding an increase in cut-through traffic at Southeast 40<sup>th</sup> moving from 228<sup>th</sup> Avenue Southeast to Issaquah Pine Lake Road, stating that a significant increase was not expected in traffic. A consideration may not have been taken for additional traffic due to slowdowns starting at Southeast 32<sup>nd</sup> at the Issaquah Pine Lake Road traffic circle. School speed zones will cause traffic to slow significantly, over a mile and one half of distance. There are no permits or easements from the City of Sammamish at this point. Anderson asked that the project be stopped.
  
- Daniel Sreebny, Issaquah resident, stated that the Superintendent had indicated having tried to be responsible to community concerns, but this statement is not accurate. School representatives and officials have frequently rejected, ignored, avoided, or obfuscated legitimate concerns and reasonable requests made by citizens and organizations. Examples can be provided. There are serious security flaws in the plan and if the plan is moved forward, the Development Commission will share responsibility for putting the safety and well-being of students, staff, and adjacent residents at risk. The staff report mentions a combination of fencing and retaining walls around the school facilities to enhance security, but no mention is made of perimeter fencing to ensure that individuals and groups present on the property are unable to cross easily into the adjoining over-55 community. The applicant has indicated that fencing will be installed around the perimeter of the facilities but not on the property line except for a portion along 228<sup>th</sup> Avenue Southeast. The importance of such fencing is reinforced by the fact that the proposed project will not only be used by students but will be open to community use after school hours and on weekends, an open invitation for anyone to have easy access to a vulnerable, gated community of Issaquah residents. The project planners could also easily have included basic elements of crime prevention through environmental designs such as Crime Prevention Through Environmental Design (CPTED), which other School Districts have successfully used. The application simply stated that CPTED was not applicable. Sreebny also stated concern that there is only a single major way to get into and out of the property, with a designated emergency lane that would be inadequate in the event of a real crisis. Unfortunately, we are all familiar with natural disasters in this area and sadly know of potential attacks on schools and this must be addressed. Sreebny asked that the Board vote against the current plan and require a plan that includes appropriate perimeter fencing such as eight-foot fencing with climb proof features along the perimeter adjacent to Providence Point community. Demand that the plan

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include CPTED elements. Require an effective security camera surveillance system and the posting of No Trespassing and security signage. Demand a plan that offers at least two primary access routes.

- Roberta Brown, Issaquah resident, stated being a strong supporter of seeing a 21<sup>st</sup> Century, beautiful high school built at Providence Heights. That, however, is not the case of the current proposal. First, the proven presence of lead and PCBs is excluded from the staff report environmental considerations on page 62. Extensive testing for lead, well below [inaudible] inches and throughout the property as called for in the Planning & Development Services (PDS) Engineering and Environmental Incorporated Study and in the October 12, 2021 update simply must be completed and documented before the proposal can be deemed to satisfy the code requirement. There is no reason for the applicant to have continued to refuse to conduct these simple required tests, called for repeatedly by the Issaquah Community Planning & Development (CP&D) department. It is well known that the property was home to a reinforced concrete college campus built in the late 1950s, thus laden with PCBs and lead. The for-profit owner, Churchome, escaped the required SEPA review prior to demolition on the grounds of a religious exemption. The SEPA pre-demolition review would have been the normal means for detecting and removing contaminants. In the response to concerns expressed at the meeting yesterday, Mr. \_\_\_\_\_ flippantly suggested that they will shave off the top 12-inches and subsequently more if further testing is needed after the application is accepted and only in the immediate water tower area. Until further testing has been completed and legal contracts drawn up for professional removal, approval of the proposed Site Development Plan (SDP) would simply be unconscionable. Brown stated having more to say but written comment letters can be referred to.
- David Miller, Issaquah resident, stated that while watching the Public Hearing at the meeting yesterday being impressed with the design, but there were many requests for exemptions, in example, indicating that the project may be in a space that is too small. Miller stated having Googled the acreage for high schools and sources stated that for 2,000 students, 40 to 48-acres would be needed. The high school and elementary school combined will be on 40-acres. The Providence Point 55+ community and Bellewood Retirement Community are being pressured. The two proposed schools plus a sports stadium and sports fields are too much structure for the 40-acre site. The proposed buffers between schools and residential communities were inadequate to begin with and the School District plan would eliminate many trees shielding two communities from the schools, approximately three-acres of mature trees, and replacing some with younger, smaller trees. The elimination of mature trees which have been on the property for decades is contrary to the newly released Issaquah Climate Action Plan. Furthermore, the plan does not provide adequate irrigation of the buffer being left, and there is no plan for the three years of irrigation after planting. The trees planted may die from lack of water. Finally, the plans include leveling the site and dumping tons of fill on the proposed site for the now delayed elementary school,

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placing high and unsightly retention walls between the property and residential communities.

- Diane Exeriede, Issaquah Resident, stated that the staff report indicates that many comment letters have been received, but there are hundreds of comments unanswered or summarily rebutted. Attachment 88, *all other public comments* is a file of 840 pages including comments from 2021 and the response to the SEPA Determination of Non-Significance. Our community has maintained since 2019 that an Environmental Impact Statement was [inaudible] with acceptance of this significant project. The School District has steadfastly refused to comply and has ignored community comments. The August 2021 Determination of Non-Significance (DNS) was withdrawn to make the project more defensible. The Superintendent has asserted at a School Board meeting that *they* will not get what they want, *they* in this instance referring to Providence Point. Exeriede encouraged the Commission to sample letters that are respectful, thoughtful, and well-written. Attachment 83, Summary Memo from the July 15, 2020 community meeting indicated that documenting community comments by staff and School District is not required by Issaquah Municipal Code. This is an indication that this process should not be necessary. Attachment 81, item B32 notes an Environmental Impact Statement is to be prepared. The School District responded [inaudible] a SEPA review and not the city. The public perception of a conflict of interest is based on the School District [inaudible]. This was not remedied by the hiring of a private consultant firm to rapidly repackage the determination and re-issue as a revised decision on December 9, 2021. [inaudible audio].
- Larry Franks was signed up as next to speak but was not present on the meeting call.
- Dave Wechner, Land Use consultant from Coupeville, WA, stated having been in the planning and community development field since 1990. Wechner stated speaking at the request of the Providence Point neighborhood and has submitted a report filed as Exhibit three of written testimony. Overall, concern is that the Master Site Plan does not adequately address Comprehensive Plan policies specifically related to school siting, prioritizing busses over cars, sharing use of facilities, and Land Use policy H-10 which emphasizes that development should fit within the natural environment. Rather than blending into the site, the plans proposed create an elevated plane by using extensive grading and retaining walls. The ongoing maintenance of the site and mitigation of impacts due to the position will be challenging. Issaquah should suspend approval until improvements and a Transportation Management Plan receive approval from Sammamish. The vegetative buffer to adjoining properties should be established and maintained to ensure the density, integrity and function of the buffer and irrigation may be required. The scoreboard proposed is electronic and digital and should be regulated by Issaquah sign code. The largest sign is limited to 200 square feet and the scoreboard would be 561 square feet. The retaining walls will need drainage systems to reduce hydrostatic pressure. To assure residents receive what is being promised, conditions of approval should be clear, site standards where applicable or adopted standards. Wechner encouraged the Commission to consider the conditions of

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approval proposed in the staff report that require attention so that requirements and timing of each condition is clear to staff, the School District and public; number one, four, five, 11, 12, 20, 25, 27, 32, 36, 48, 49 and 53. A question is who is responsible for compliance and who will enforce compliance and consequences if Covenants, Conditions and Restrictions (CC&R) fails.

- Joshua Cohen, Consultant and Principal at Fat Pencil Studio in Portland, Oregon, had emailed Sloman a slideshow titled Exhibits for Public Testimony of Joshua Cohen, forwarded to the Commission members yesterday evening and that this would be useful to accompany comment. Cohen stated that source material for exhibits were publicly accessible aerial photographs and architectural drawings on file with the city. The buildings are drawn to scale and trees are not intended to be photo-realistic but representative of type and position. Cohen stated that Fat Pencil was hired by the Providence Point Umbrella Association to create a digital 3-D model of the proposed campus to investigate potential visual impacts on the surrounding community. Cohen explained slides. Most large-scale public works projects include a visual impact study done from the perspective of the surrounding community, but this does not appear to have been done for this project. The visual impact study represents an opportunity for collaboration with stakeholders on mitigation measures. The Commissioners were encouraged to make the visual impact study a condition of approval.
- Ross Tilghman, Transportation Planner, stated speaking on behalf of the Providence Point Umbrella Association. As a past Commissioner and Chair of the Seattle Design Commission, Tilghman stated appreciating the challenges faced by the Issaquah Development Commission. The School District plan is not ready. The site is ill-suited to school use as well as no pedestrian network or bicycle facility nearby, and no public transit within a useful distance. There is a single access road and no alternate routes. [Audio issue - inaudible]

COMMISSIONER BRENNAN suggested that the next speaker be moved to for an opportunity for Tilghman to correct the audio issue. Otherwise, Tilghman could submit comments directly to the Commission.

- Anne Moore, Issaquah School Board President, thanked the Development Commission volunteers. Complex issues are also addressed by the School Board with considerable input from the community and sometimes from opposite ends. The core mission of the School Board is to provide a high-quality educational experience for students. The Development Commission core mission for this project is the task of reviewing the project for compliance with applicable city code provisions. From the comprehensive staff report, city administration recommended approval of the project subject to conditions. Moore urged the Commission to recommend approval to city Council. The project design reflects extensive work and collaboration with city staff and in consideration of concerns heard from adjacent property owners. The three existing comprehensive high schools all have residential neighbors. The District directed the

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design team to design a project considering concerns, making use of limited urban property and adherence to code requirements and as always, prioritizing optimal learning environments. This directive resulted in the voluntary investment by the District of approximately \$3 million in design features to substantially exceed code requirements and set aside approximately 6.3-acres of vegetated buffer between the developed portion and adjacent properties. To accommodate, the District is reducing some typical programming elements found at other schools including eliminating practice fields and reducing the number of tennis courts, reducing the size of the baseball field and the elementary school playground, and eliminating the ability to expand elementary school buildings in the future. The design also uses orientation and operational measures throughout the site to further minimize sound and activity toward adjacent properties. These compromises are in direct response to the input and concerns from neighboring property owners. Our students deserve quality schools with adequate space and program capacity and now is the time to move forward after years of planning. Careful consideration of the project is appreciated. Moore urged a Development Commission recommendation of approval.

- Larry Wright, Providence Point resident, thanked the Commission for efforts by civic minded volunteers. Wright asked Commissioners to look at in person both the Providence Point and subject properties as these cannot be seen while driving by because of the hill and trees. The property is posted with No Trespass signs so the property cannot be walked. Issaquah School District has failed to make a deal with the city of Sammamish regarding work on 228<sup>th</sup> Avenue Southeast. The only way to see the subject property is to enter the Providence Point gated community and drive along the perimeter. On the Providence Point 160-acres there are 1,000 living units occupied by approximately 1,400 senior citizens with an average age of 77, many of whom have moved here to be closer to family that have children in Issaquah schools. The residents are people who treasure education. At the meeting last night, the Issaquah School District Superintendent presented a version of the relationship and discussions followed by the School Development team. Providence Point has requested that a legal representative be given an amount of time commensurate with the School Board and School Development team. It is understood that this is not a rule but should be reconsidered as experts need time to explain the position of Providence Point residents. Three-minutes per speaker cannot present a coherent picture. The \$190 million project is currently approximately \$77 million over budget. Fairness or at least the appearance of fairness to all is needed. A question is if coherent citizen opinion was related in the 5,000-page staff document given to Commissioners only days ago. Another question is if the Hearing is being conducted to receive all facts in such a way that a fair, informed and just decision can be made. Wright asked that the Commission not be stampeded by the Issaquah School District desire to begin construction.
- Walter McCudden, Timothy Brown, and Mark Taylor were signed up to speak but were not present on the meeting call.

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- Michelle Williams, Issaquah Resident, stated that as a retired teacher and principal, having supported public schools for over 30 years as well as other connections to the School District. A competent staff and suitable facilities are needed to provide quality education, but the schools planned will not be a suitable facility. There are too many environmental concerns. The area is small, 36 to 40 buildable acres. The schools will create a significant and adverse impact on the neighborhood including visual and noise intrusions on nearby properties. Stormwater flow into Laughing Jacobs Creek will endanger salmon. The Issaquah School District requests a Capital Levy because of mismanagement of funds. Williams stated not being in support of the \$44 million requested from taxpayers to cover a construction shortfall. After passing a \$1/2 billion levy in 2016, the School District announced a delay in construction of the elementary school indefinitely, at the time claiming that the delay was due to enrollment figures. Later it was learned that the project is \$78 million over budget and the money planned for the elementary school was needed to partially fill the deficit. \$15 million was planned to cut down three-acres of trees to make the site pad ready for the elementary school, although not being sure if this would ever be built. Public comments are not being respected. Issaquah School District received over 250 responses to the second SEPA DNS which asked for an independent Environmental Impact Statement (EIS). The requests were ignored and never addressed in the final Mitigated Determination of Non-Significance (MDNS).
- Francie Greth-Peto, Issaquah Resident, stated that there is a lot being considered for a small piece of property and stated support with other speakers concerned about the environmental impact of cement and chemicals that were present when the college and church inhabited the property. There is not a plan yet with Sammamish regarding expanding the road. Students may be riding bicycles or walking along side 228<sup>th</sup> Avenue Southeast and while expansion by eminent domain does not seem to be realistic, there will still be difficulty for both cars, bicycles, and pedestrians to pass. There is a steep blind corner on 228<sup>th</sup> Avenue Southeast with a signal creating a severe danger when ice is present. Trees are extremely necessary for lungs. Greth-Peto stated not wanting to leave future generations with a legacy such as this project.
- Sean Dugan stated representing the Providence Point Umbrella Association. Retaining as many existing trees as possible is a priority within expanses of the perimeter. Re-forestation planting is proposed to the extent feasible but not to the maximum extent. There has been discussion regarding retaining trees and mitigation, but there is no workable plan providing goals or metrics for the monitoring and welfare of existing trees. Removal of 75% of mature trees would occur and design criteria narrative states that maintenance will be minimal to existing vegetation, no irrigation or monitoring. According to an arborist, most trees are in declining condition and yet retained within the native buffer areas. When the site is cleared for the future elementary school material stockpiles, approximately 500 trees will be cleared removing wind buffer for remaining trees. A stand of Cottonwood trees target structures on the Providence Point property, according to consultants, with an elevated risk potential. The city consultant recommended removing hazard trees at an early stage of construction for

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safety. The site will be surrounded by retaining walls which will dry out the site. An irrigation plan is necessary to ensure that future tree maintenance will occur for existing vegetation.

- Ross Tilghman returned to the meeting call after earlier audio issues with approximately one and ½ minutes remaining for comment. Tilghman stated that difficult access in and out of the site compromises safety. The single access is unlike any other high school which generally has two access points from two separate roads. The site does not overcome topographic and locational problems and is a poor plan for emergencies, easily blocked, and a poor plan for evacuation from the site if necessary. The School District does not have the ownership, control or right to use the Providence Height Loop Road, so there is no credible emergency access. Queuing is deficient and careful reading of the transportation report shows more vehicles will arrive than there is room to accommodate, a poor practice for any school, particularly one with only one access off a major arterial. Although shared parking is proposed, parking is based on the stadium capacity. Without a limit to parking there cannot be an effective Transportation Management Plan and parking limits are the single most important management tool. If the city is serious about providing safe routes to school, safe access, reliable emergency access and meeting climate action goals, the plan should not be approved.
- Suzanne Weaver, Issaquah School Board, stated being in favor of the project and urging the Development Commission to recommend approval. The School District works hard to respond to the permitted growth of the community and to fulfill the duty to make the best public education accessible to all residents. The biggest challenge is that approximately 70% of the District 110 square miles is outside of the urban growth area where schools are not permitted to be built. Consequently, the property search was not easy given regulatory constraints on school siting, scarcity of urban land, and the developmental limitations of many parcels. The proposal is consistent with applicable city Comprehensive Plan policies and code provisions considerate of surrounding properties. Despite difficulties with locating a viable site and other challenges, the School District firmly believes that the site as designed in the proposal is ideal for community needs, centrally located where enrollment relief is needed and design consistent with policies and code requirements. Numerous site-specific design features are included responsive to neighboring property concerns. The project has been years in planning and not immune to inflation and increasing project costs which have required prioritizing construction of the high school ahead of the elementary school. The effect of the pandemic on elementary enrollment alleviated some existing strain on elementary school facilities providing some relief to delay construction. The elementary school still needs to be planned for to address community growth. Weaver urged the Development Commission to recommend approval.
- Sydne Mullings, Issaquah School Board, resident, and parent, stated being in favor of the project and asked that the Commission recommend approval. Mullings stated that speaking as a School Board member, the greatest needs continue to be at the high

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school level. High school enrollment remains steady, and this year exceeded enrollment expectations. Existing high school capacity is overtaxed, and students deserve better. There is no question based on actual enrollment figures that students and community need forward progress and permitting for both long planned schools. As a resident, Mullings stated that the project is critical to move forward, and that the community have voted in favor. There have been questions and concerns raised and the hope is that the very thorough project review demonstrates that the concerns have been heard and addressed. Finally, as the parent of an Issaquah high school student, facilities are now bursting at the seams. A quiet place to gather thoughts is challenging and portable classrooms add limited additional space to buildings which are prematurely aging with wear and tear. When the project was first envisioned, the daughter of Mullings was in the fourth grade. Those students will graduate from high schools that are more overcrowded now than they were in 2016. The son of Mullings is in the sixth grade and the project will ensure that he can attend a school with a fantastic experience. The recommendation of approval with proposed conditions will make a large, positive impact for the future of high school students in the community.

- Patti Hong, Providence Point resident, stated having a birdseye view of the soon to be constructed softball left field. The buffer and how many trees will present are of concern. Condition number 25 does not require that any irrigation be installed in the buffer areas and the Commission is urged to direct the city to include required irrigation. There is significant foot traffic to and from schools on 228<sup>th</sup> Avenue Southeast but the new high school does not allow pedestrian access whatsoever and students may park cars near Marionwood Rehabilitation Center and Bellewood as well as Pine Lake Shopping Center, walking to the site. There are no sidewalks along 228<sup>th</sup> Avenue Southeast and there is not a plan to install a sidewalk between Issaquah Pine Lake Road and the high school site. The Commission should direct that condition number 17 include a pedestrian as well as Traffic Management Plan.
- Marnie Maraldo, Issaquah School Board, stated being in favor of the project and urged the Commission to recommend approval with conditions. The proposal, which will provide the land use approvals from the 2016 Bond is critical to capacity and learning needs. While the District has seen a reduction in enrollment during the pandemic, current enrollment levels are higher than when the Bond was passed. As the city continues to grow, enrollment is expected to increase well into the future. Today, existing school capacities are strained, and the community has expressed this for years. This week, Cougar Mountain Middle School was opened to alleviate the capacity at Issaquah Middle School. The addition of the new high school will allow approximately 600 students from Issaquah High School, alleviating a strain on downtown Issaquah roads and allowing students to be closer to homes. The concerns of adjacent property owners are understood regarding the multi-purpose field at the site. School Board leadership and the Providence Point Umbrella Association have met on three occasions regarding proposed site plans. Significantly, more buffer area than required by city code was agreed to. The field and track are needed to fulfill the physical education requirements and extracurricular activities crucial to student experience.

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One side of the field will have a covered grandstand allowing for games and events for a home field, community, and identity. The design team has carefully worked on operational features to minimize sound, light, and activity towards adjacent properties. The project meets applicable code requirements and reflects careful design with compromise.

## 10-minute Break (01:27)

- Rick Aramburu, Providence Point Umbrella Association, stated that Providence Point shares a 3,100-foot boundary with school property. An extensive report has been provided which includes opinions of stormwater, traffic, arborists, and land use experts. The project is deeply flawed and on a questionable site. If the project is to be approved there must be serious changes to bring into compliance with standards. While the reports show a myriad of defects, Aramburu would comment on three issues. First, a proposal is to dump construction spoils on three acres of to-be clear cut mature forest, against the Climate Action Plan recently adopted. The fill is necessary because the School District is violating a fundamental tenet of design review, to preserve existing vegetation and topography within the site area, justified to make a head-start of a school that may never be built and may not be fully funded. Second, the District has had two and ½ years after a project has been proposed and is substantially unprepared. Issues with various plans should have been resolved well before arrival at the Development Commission.
- Maria Kliavkoff, Providence Point resident, stated that the need for the project is not in question, but what is in question is how the project has been maneuvered. There is great concern that the School District decided that environmental impact for the project could be mitigated. Wetland considerations were addressed but the Environmental Impact Statement was deemed not necessary. The habitat was determined to be low habitat value as a wetland habitat. However, the area is not a wetland habitat as coyotes and cubs are present. An Environmental Impact Study is necessary for a vibrant habitat so that what destruction is being considered is clear. The Providence Point storm system cannot take the overflow from the project. It was noted at the meeting yesterday that when a 100-year event was mentioned, the District replied that code does not require that level of mitigation. The question then is who will pay when the system fails.
- Dean Apostol, Consultant for Providence Point, was asked to provide visual analysis by the Providence Point community. A written report has been submitted with findings and recommendations. The project proposal is as bad fitting a building and supporting services to a site as ever seen over 40 years. The project needs to be started over to fit the site. The site is 60-70% forested currently and would be constructed with approximately 15% remaining, where visual impacts lie. There is an inability or unwillingness by the District and architects to fit the project into the site. A 1994 book, Buildings as Pedagogy by Dave Orr, is about how people learn from buildings. There will be students studying environmental and science courses inside a

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building that was imposed on the site with no visible effort to fit to natural contours, woodland, or forest. Issaquah has an opportunity to demonstrate conservation for the community.

- Amy MacAulay was signed up next to speak but was not present on the meeting call.
- Klina Dupuy, Providence Point resident, stated that the Commission is doing a disservice if the site is not physically visited to see firsthand the concerns of the community. New signalization at the Providence Point main entrance took over a year to complete and signalizing the entrance to the school could make 228<sup>th</sup> Avenue Southeast a virtual parking lot for two years while construction occurs. While Issaquah is an ardently proactive environmental community, there is no indication of any energy saving proposals made to provide for an environmentally sound site, in example solar panels.
- Joanna Buehler, speaking on behalf of Save Lake Sammamish, urged denial of the Site Development Plan. Once the site permit is granted there will be no turning back. The School District has an inherent conflict of interest in being both proponent and reviewer of all environmental decisions. The refusal to conduct an honest Environmental Impact Statement is indicative that there is negligible concern for the environment. The District has a financial incentive to cut corners. The funds are not available to construct the project and property owners will be asked to provide further millions, inserted with the Technology levy to be voted on in April 2022. This proposed complex will sit on a branch of the Seattle fault on a steep hillside. Drainage plans are inadequate and put Lake Sammamish salmon at further risk of extinction. For 30 years, funds and efforts have been expended to protect the fish. Laughing Jacobs Creek is one of only four creeks still supporting the salmon runs and all run-offs will go into Laughing Jacobs Creek. Detention reduces the volume of peak flows but increases flow duration and the scar in the stream will be ultimately equal. Detention as proposed has potential to starve Laughing Jacobs Creek of needed flows in the summer and fall when there is little water. Water quality treatment is expensive and needs to have a maintenance plan. Hydroseeding proposed is not good and could increase milfoil growth in Lake Sammamish. Road and traffic permits have not been issued.
- Irene Ng was signed up next to speak but had withdrawn the request.
- Patrick Mullaney was signed up next to speak but was not present on the meeting call.
- David Kyle, Issaquah resident, stated being the Lake Sammamish Kokanee Program Manager, having conducted spawning, fry immigration monitoring and priority restoration identified for Laughing Jacobs Creek for the last five years. Kyle stated concern regarding the 900,000 square feet of impervious surface in the project and effects on the watershed and property impacted. Canyon walls are steep glacial till, generally unstable, and additional surface flow could result in significant sedimentation

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impacting fish, infrastructure, property, and downstream residents. The proposal has not captured full impacts to the watershed and the School District has no intention to complete a full Environmental Impact Statement and cannot confidently claim that the project will have no significant impact. The School District must evaluate impacts of the entire project, arbitrarily separated by jurisdictional boundary. Conduct a cumulative effects analysis specifically focused on hydrologic perspective. Analysis should include existing effects, impact, flow frequencies within Laughing Jacobs Creek and what the additive effects would be as a result of the proposed project and climate change. The Providence Point property should be an example of responsible development protecting watersheds and supporting the collaborative effort to save Lake Sammamish salmon.

- Sam Lin, Issaquah Resident, stated being a strong proponent of education but as strong a proponent in considering aspects of environmental and natural resources. Public officials are disrespecting stewardship to protect local environment and the action cannot be condoned. The disregard by the District for the significant increase in stormwater runoff is secondary to the construction and operation of the proposed project. Destroying 77% of tree canopy and the laying of 900,000 of impervious rooftops, concrete, asphalt, and brick will be a downhill outpouring of stormwaters given the dispersement of rain by the missing canopy and the severely reduced surfaces for ground absorption. There will be impacts to private homes downstream, and flooding, erosion will kill salmon fry in Laughing Jacobs Creek. The District has glossed over this realization because, since there will be several sets of controlled stormwater holding tanks, the new flow rate will be no greater than the current rate. The District refuses to recognize that the total flow volume will increase exponentially because of the increase in impervious surfaces. Erosions, landslides, and wetlands damage will be the preventable result. Property owners downstream have already indicated that they will file suit against the District for damages due to increased flow volume. Regarding landslides, Lin stated Cougar Mountain Middle School. Lastly, the District contracted for two wetland classification surveys in 2019. Both surveys assigned a vulnerability rating of wetland category four, the least vulnerable category. The rating points were one point below the next vulnerable category; however, the surveys are suspect because of blatant errors such as stating that the wetlands do not empty into a body of water within a mile, however the body of water is called Lake Sammamish. Correction of the errors would reclassify the wetlands to a category three, a more endangered area with increased vulnerabilities. The questionable way the District has treated the issues places the onus on the Commission to require a more responsible stormwater mitigation and more accurate categorization of the wetlands as well as an independent Environmental Impact Study.
- Andrew Kenefick, current volunteer Chair of the Washington Council Trout Unlimited Advocacy Committee, stated that an emerging issue in stormwater control is whether the stormwater system proposed for the school would be adequate to protect salmon from a recently identified problem with tire wear particles which may be used in the sports and play fields within the project. Recent Studies from the University of

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Washington and Washington State have identified a compound in tires receiving scrutiny at the State level as well as Congress to determine impacts. There has been 40-60% mortality in returning adult Coho salmon migrating upstream to spawn in the Puget Sound area. More studies are now being done on mortality of other specific fish species such as Rainbow Trout. Consultants should look carefully at the stormwater treatment system to determine if the tire wear particles can be managed. Kenefick stated agreement with the comments of David Kyle.

- Mary Deraitus, Issaquah Resident, stated concern that the District has completely ignored zero energy building techniques, a standard in new school construction for nearly a decade. An email with links to research had been sent to the Commission that shows that zero build increases student attendance with better academic outcomes, improves indoor air quality, provides greater teacher retention and costs no more to build than conventional schools and sometimes less according to the National Research Renewable Energy Lab. Most importantly, operational costs decrease, 65-80%, money Districts around the country have channeled back into student programs. One example of zero energy is bio-retention which collects, cleans, and slowly releases water. Runoff from impervious surfaces is reused onsite. Reducing onsite water will remove strain from the Sammamish Plateau, decrease water costs for the new school and provide water to the vegetative buffer area. Under the proposed plan, the buffer will not receive the amount of water received at this time, a dangerous fire hazard. Everyone knows that Issaquah needs the new high school, but the design does not have the future in mind. The high school only has two music practice rooms for all 1,800 students, outside purveyance of code but shameful. In 2020, the Commission asked if rooftop units from bordering homes would be properly screened from the school. The applicant said yes, but visuals have never been provided. Lastly, Deraitus asked if, considering the negotiation of the District with the Bellewood Attorney regarding a living green wall solution, the District would also be providing this on retaining walls facing other bordering homes.
- Ron Imhoff, Issaquah resident, stated that as Yogi Berra said, *nobody goes there anymore, it is too crowded*. This is how the plans for the high school should be looked at. Over the next 10 years the high school population will drop by approximately 4,700 students by 2034, approximately 400 students lower than in 2012 and approximately 800 students lower than currently enrolled. The District claims overcrowding in current schools; the most recent Capital Facilities Plan shows there are enough classrooms to avoid overcrowding. The conclusion is the overcrowding is in hallways, lunchrooms, and bathrooms. Over the years there has been wasteful government spending, in example \$100 hammers and \$50,000 toilets. The new high school might be called the \$198 million bathroom. Do not continue to approve wasteful spending and stop the project now.
- Richard Johnson, Providence Point homeowner, stated that the language in the CC&R document must be explicit, containing clear and specific rules with measurable standards backed by enforceable consequences that are unbendable to slanted

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interpretations. The CC&R must be completed in detail before permits are issued to the School District. A promise to satisfy requirements after permits are granted will result in a vague document shrouded in window dressing and based on lofty, glittering generalities that will strip neighborhoods of any chance to ensure the District will live up to commitments both during and post construction. The touted design improvements have evolved due to the Providence Point community seeking legal assistance and engaging in community-wide publicity to compel the improvements. At the meeting yesterday, the District leadership mentioned past engagement with the Providence Point community, but such statements were not followed by meaningful outcomes from those engagements, perhaps because past strong-arm tactics proved not to be as effective as employing collegial approaches that would have. Regardless, the actual outcomes have warranted distrust and suspicion instead of cooperation and support. If the leadership of the District truly means to live up to the good neighbor sound byte, Providence Point would be sincerely engaged with to collaboratively craft a CC&R document that is mutually beneficial to the community, the District and the city of Issaquah. By leaving behind past attempts at strong arm tactics, such a sincere approach would probably transform the good neighbor sound byte from one that rings with a thud to one that rings true. Despite such a notion, such collaboration will probably only occur through the Commission imposing a condition of collaboration with the Providence Point Community. Johnson appealed to the Commissioners to insist that the CC&R is meaningful, complete, and agreeable to the Providence Point community before permits are issued. The CC&R cannot be allowed to be circumvented by the District. Johnson asked that the District not be allowed to legally end-run spirit intent of CC&Rs.

- Jenell Tamaela, Issaquah resident, stated that a new middle school has opened next to Timber Ridge Retirement Community in Talus. In the beginning, questions were asked, and the community determined that the District would keep promises. Growth is hard but reality. Tamaela stated being in favor of the fourth high school. Issaquah schools are overcrowded. Hearing, meeting, and exceeding concerns of adjacent neighbors have occurred. The students need the high school. Mental health issues are taking a toll. Students are the future of the community, will someday live in Issaquah and pay taxes, and investment in students now will let them know their worth. Tamaela asked that the Commission approve the plans so that the next steps can be moved forward. There has been an influx of residents over the past 20 years and the District has responded to neighbor concerns. Misinformation in comments at this meeting is concerning. More buffer has been added than required, and huge steps have been taken to minimize noise and light issues as well as traffic mitigations. Schools are good neighbors, a positive addition to neighborhoods. The site has been designed specifically with the concerns in mind and it is time for the Commission to give Issaquah School District your blessings for the kids.
- Timothy Brown, Issaquah resident, was brought back to speak after technical issues earlier in the meeting. Greenbush noise studies are very incomplete, ignoring major sound and not integrating all data available for an overall estimate of impact on

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Providence Point. The checklist requires that the developer looks at noise near the site including street noise to determine if major. There was a study comparing sound in 2019 at the north and south campuses with monitors at property lines. The figures are in the last two pages of Appendix 46, FB4 and FB5. The conclusion was that sound exceeds maximums now. The study was not included in any other findings. There is a band in the stadium that will need to be factored in.

- William Lyder, professional Civil Engineer retained by the Providence Point Umbrella Association, stated being able to speak directly to what happens with an ill-planned, ill-conceived, badly designed project with cost overruns, change orders and delays. A 19-page letter dated February 25, 2022 has been submitted, as well as an August 5, 2020 letter never responded to. Drawings regarding the stockpile and details such as how long this will be there, the footprint, and how this will be contained to prevent erosion are needed. Discharge to natural location is not maintained. The widening of 228<sup>th</sup> Avenue Southeast has no stormwater design and is not exempt as a traffic control project. There is no ¼-mile downstream analysis, critical because there is a 15-foot waterfall next to the access road onto the Picnic Point property at Southeast 43<sup>rd</sup> Way. The waterfall is lined with till and susceptible to landslides. A washout will block access to the Providence Point area and cause wasting into Laughing Jacobs Creek. There were no flow calculations done to show that a 100-year event can be conveyed by the stormwater system. Lyder again asked the Commissioners to read the submitted report.

Sloman stated that the list of speakers signed up had been concluded.

CHAIR BRENNAN stated that anyone attending but who did not sign up to speak would now have an opportunity to speak. There were no objections from the Commission.

- Debbie Steiner, Providence Point Resident, stated being concerned regarding the environmental study requested but not done, and asked if the School District have seen other reports and results, as well as if the District has asked for reports to be done by the proper agencies. Providence Point has worked with professionals with credentials.
- Karen Broyles, Providence Point resident, stated being interested in seeing the largest number of students receiving the most educational value from money spent. There are concerns regarding the project in this light. Others have addressed many aspects including the stadium, stormwater run-off and the environment. Broyles asked how many students would be using the outdoor athletic facilities. Other School Districts have two or more schools using one stadium. Slides and storm sewers becoming overwhelmed are further concerns. A question is how the money is being spent in relation to other students who do not participate in sports but do participate in performing arts and technology.
- Connie Marsh, Squak Mountain resident, stated that many issues mentioned cannot be handled by the Development Commission. The Master Site Plan is the overarching plan

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that the Site Development Permit would work within. A criterion is that the proposed project will be compatible with the land uses in the vicinity of the project site. The conversation is an opinion. Issaquah High School has been an interesting lesson in compatibility with traffic, noise, and safety. Marsh asked the Commission to go through the Master Site Plan criteria before going through the Site Development Permit, to be able to ask and answer those questions and then move forward. The Commission may not have purview over details of the environmental questions. Marsh asked again that the Commission address the Master Site Plan criteria first, possibly the most helpful pathway.

CHAIR BRENNAN stated that the next step for the Public Hearing process will be to allow for rebuttals from the applicant, School District, and staff when the Commission reconvenes on March 16, 2022. Commissioners will also be able to ask further questions of the applicant before deliberations.

CHAIR BRENNAN thanked everyone who participated in the Public Hearing and that points had been made well, written comments as well. The process is structured, and all comments are being paid attention to.

Sloman stated that links to both last night and this meeting are in the Public Notice. The March 16, 2022 meeting can be accessed from the city calendar and the Development Commission agenda on the Development Commission webpage.

CHAIR BRENNAN stated that additional public comment will not be taken at the March 16, 2022 meeting as the Public Hearing portion will be closed tonight.

### 3. Adjournment

- With no further business to conduct, CHAIR BRENNAN adjourned the meeting at 9:42 p.m.

Respectfully submitted,

Carolyn Garza, LLC  
Recording Secretary