



MINUTES

DEVELOPMENT COMMISSION 7:00 p.m. Wednesday, October 19, 2022

1. Call to Order

The meeting was called to order at 7:00 p.m. by Chair Sanford.

Commissioners Present: Chair Sanford, Commissioners Brennan, Dillon, Gilbert, Morgan, and Price

Absent: Commissioners Ikeda and Shore (Excused)

Staff Present: Minnie Dhaliwal, Director, CP&D
Tisha Geiser, City Clerk
Christian Geitz, Planning Manager

2. Approval of Minutes

a) CHAIR SANFORD asked for corrections or comments regarding the August 17, 2022 Minutes. There were none and the Minutes were approved.

3. Public Comment (General)

- Connie Marsh, Squak Mountain, stated agreement with the city that the number four threshold is the best, but asked for clarification of the term *with comments*. The Development Commission should review how construction in tighter areas will interface with the community. There are severe impact examples such as Vale and Atlas that nearly put the community out of business in the areas. There have been extended road closures due to extensive construction such as the Costco Warehouse. The Development Commission should be the eyes on the community being able to use the city. Marsh reiterated that two questions were regarding the *with comments* phrase and if impacts of construction can be more closely monitored and with possible conditions.

There were no further requests to speak.

4. Regular Business

10-19-22 Development Commission Meeting Minutes

a) Title 18 Update, (I) (00:06)

Presented by:
Millie Dhaliwal, Director, CP&D

Dhaliwal presented the update.

There were no questions or comments from the Commissioners.

b) Recommendations on Title 18 Thresholds Determination, (A) (00:11)

Presented by:
Christian Geitz, Planning Manager

Geitz gave the presentation.

COMMISSIONER PRICE asked if technical documents such as Stormwater and Geotechnical will be entirely administratively reviewed and approved under option number four. Geitz replied that the option was number two. Dhaliwal stated that, as the Development Commission had expressed that staff brings value to the site and building design processes, addressing the desire to have reviews completed earlier and administratively are under all options. COMMISSIONER PRICE asked if the technical documents will still be seen by the Development Commission. Dhaliwal replied being happy to provide reports and that feedback is needed on how the Commission would like to receive reports during the process.

COMMISSIONER BRENNAN stated concern about clarity for the public regarding when the public can be heard with a new technical report process. Dhaliwal replied that a challenge for staff has been various early community engagement meetings with different labels. The new process, a pre-application community meeting where communication will occur between the public and staff to answer questions, will occur once only. Dhaliwal also described the subsequent timeline. COMMISSIONER BRENNAN asked for clarification that the process for an appeal based on a transportation impact, in example, would not proceed until after a decision by [inaudible entity] and Dhaliwal replied yes, streamlining the appeal process.

COMMISSIONER DILLON stated that approved materials should be included in Commissioner packets for context of a development. Dhaliwal asked if a summary or conclusion was desired, and COMMISSIONER DILLON replied that if there is not a lot of extra staff work involved, including these in the portion of the packet being reviewed would be helpful, with the full document available through a link or appendix. COMMISSIONER DILLON stated that in current code, a threshold below 4,000 square feet would have administrative review without comment and the next level with administrative review with comment and asked if the lower level will disappear if the threshold moves to 10,000 square feet for Development Commission review. Dhaliwal replied that the Planning Policy Commission has asked for options and a decision has not been made, and the reasons for concern were

10-19-22 Development Commission Meeting Minutes

explained. COMMISSIONER DILLON asked what square foot distribution on development permits is currently being applied for and stated that if many more projects will be coming for Commission review, the meetings twice a month only may create a bottleneck of work to move projects forward. Dhaliwal replied that anecdotally, the workload should remain the same. Geitz replied that looking at permits back to 2018, there were five above the threshold, and many were multi-family buildings, schools, and Costco, being looked at one time.

COMMISSIONER MORGAN asked if a minimum lot area such as a car wash, over a 10,000 and under a 40,000 square foot parcel, would be considered. Dhaliwal replied that existing code is for a three-acre threshold, very large. A correct size of a lot needs to be determined as well as the language regarding what will trigger a review.

COMMISSIONER PRICE asked if there are other thresholds other than square footage associated with SEPA that would trigger a review by the Commission. Dhaliwal replied by describing details of other thresholds. COMMISSIONER PRICE asked if the Development Commission purview is limited to 10,000 square feet and above, strictly square footage based, and Dhaliwal replied for site development permits. and described further details. COMMISSIONER PRICE asked for clarification that thresholds are being established that are consistent with SEPA. Dhaliwal replied yes.

COMMISSIONER MORGAN asked for clarification regarding plats. Dhaliwal replied that under the proposed draft, the Hearing Examiner will decide the preliminary plat. The final plat can be handled administratively. How the Development Commission will be involved with plat site development permits will be examined further.

CHAIR SANFORD asked for clarification regarding comments received in the administrative process, if there is a Public Hearing or submittal by mail or email. Dhaliwal replied that a completed application will trigger a notification. A notice board is posted on the site and published on the city website. If there is a community meeting scheduled this will be held in the early timeline. Public comments will become part of the record to be addressed through the review process and can be included in the Commission formal Hearing including responses. CHAIR SANFORD asked for clarification that the community meeting is a part of the administrative process and Dhaliwal replied yes. CHAIR SANFORD asked if the square footage threshold should apply to both residential and commercial uses. Dhaliwal replied that existing code includes many variations based on use. The proposed draft simply states *permitted or not permitted*, and threshold triggers are a separate piece. CHAIR SANFORD asked if option two is the current threshold minus the three-acre provision and Dhaliwal replied correct.

COMMISSIONER MORGAN asked if Marsh in Public Comment was referring to table 18.20403 on page 31. Dhaliwal replied yes.

COMMISSIONER DILLON asked if public comments would be advertised for an Accessory Dwelling Unit being added in a backyard and stated that there needs to still be a low-level

10-19-22 Development Commission Meeting Minutes

threshold without comment. Dhaliwal replied that a site development permit is not triggered by a house being built.

COMMISSIONER GILBERT asked how a cottage development would be treated. Dhaliwal replied that current code has no option for cottage housing, and the discussion around increasing housing diversity choices is being held with a consultant, not in this draft but to come.

CHAIR SANFORD stated that staff is asking for input on two questions, however not read or displayed on video.

COMMISSIONER MORGAN stated agreement with the 10,000 square feet matching SEPA, simplifying the process for developers and property owners. A lot square footage trigger should be identified. Regarding goal number eight, neighborhoods retaining character, neighborhoods tend to have a different feel size-wise and 10,000 square feet should be okay along East Lake Sammamish Parkway but not in Olde Town. A 4,000 square foot mark should be in place for streets such as Front Street from Gilman to Newport, and Sunset from I-90 to Newport, where there is smaller character, and a 10,000 square foot building will appear to be very large.

COMMISSIONER DILLON stated agreement with COMMISSIONER MORGAN.

COMMISSIONER BRENNAN stated agreeing with the 10,000 square foot threshold aligned with SEPA from an applicant standpoint. What the appropriate level of review for development is the question. Looking at Olde Town differently is a good idea, an important part of the city that warrants a higher level of public engagement and participation. Separation between technical reviews, site development and architecture make sense with experts examining areas within expertise, but there could possibly be public confusion regarding where engagement can occur during different parts of a project.

COMMISSIONER GILBERT stated agreement with the other Commissioners and stated that Olde Town should have a lower threshold where design review would be triggered.

COMMISSIONER DILLON stated agreement with lowering the threshold from 45,000 to 10,000 to allow review of significant projects.

COMMISSIONER PRICE stated agreement with a 10,000 square foot threshold. If staff reports for review are smaller, an increased volume of projects may be able to be handled by the Commission. Some visibility into approvals and reports will still be needed to understand a project in entirety. Reducing the threshold in special circumstances for a community-based review process makes sense.

CHAIR SANFORD stated agreement with a 10,000 square foot threshold for all reasons stated. A high-visibility street option should be included. Newport, Front, Maple, and Gilman Streets are in areas where future development is being encouraged, and full public participation is

10-19-22 Development Commission Meeting Minutes

needed. CHAIR SANFORD asked for clarification that a building of 200' x 49' would be allowed on Gilman without Development Commission review or Public Hearing if there is no high-visibility street provision. CHAIR SANFORD stated being in favor of the one-acre threshold, also.

Geitz stated that input had been helpful. Dhaliwal asked what threshold would be desired for high-visibility streets, and CHAIR SANFORD replied 4,000 square feet which is the current threshold. COMMISSIONER DILLON stated that high visibility streets should be reviewed to narrow boundaries and to shorten the list of areas, while retaining character on key thoroughfares. The extension of Sunset on Squak Mountain does not seem to need a different threshold, but portions of Gilman Boulevard do. COMMISSIONER MORGAN stated being comfortable with a 10,000 square foot or over threshold for most streets outside of Olde Town as staff will still review projects under 10,000 square feet. The economics of building under 10,000 square feet can be difficult. Consideration should be made for Olde Town but not necessarily for all high-visibility streets. COMMISSIONER BRENNAN stated that several high visibility streets do not warrant the high level of oversight, in example, Gilman Boulevard which is slated for significant density and redevelopment. The economics of property costs and density allowed on Gilman Boulevard will cause projects to be routed to the Development Commission regardless. Other streets are perimeter as well as already redeveloped. The character and history of Olde Town is unique to Issaquah and should warrant higher oversight. A process that adds time and uncertainty to a project is a significant deterrent for developers investing in Issaquah. A question is what the appropriate level of oversight is versus the risk that developers will take on. CHAIR SANFORD stated that in summary, the 10,000 square foot threshold is desired by the Commission, as well as refining the list of high-visibility streets.

c) **Adopt Rules & Regulations, (A) (00:58)**

Presented by:

Tisha Geiser, City Clerk

CHAIR SANFORD stated that two potential changes to the Development Commission Rules and Regulations were to move the meeting starting time from 7:00 p.m. to 6:30 p.m., and adoption of a new virtual attendance policy.

Geiser thanked the Commissioners for volunteering time and gave the presentation.

COMMISSIONER MORGAN asked for clarification regarding alternate members, page 62, item B under number six. Geiser replied that the provision may need to be removed as the Development Commission is unique in how alternate members able to vote are chosen. The wording should be changed to clarify that a regular member would be allowed to vote whether attending virtually or in person, but if there are two alternates, preference would be given to the in-person alternate. Geiser proposed, however, that the provision for the alternate with seniority being the first alternate to serve, rotating through the year be kept. COMMISSIONER MORGAN asked for further clarification regarding alternate members attending in-person and regular members attending virtually and Geiser replied that there are

10-19-22 Development Commission Meeting Minutes

logistical challenges for larger Boards with more alternate members. COMMISSIONER MORGAN asked the Commissioners if members should be incentivized to be present. COMMISSIONER BRENNAN stated that the item does need to be reworded for clarification, and that there is a narrow allowance for virtual attendance, such as illness or circumstances, and being comfortable with the intent proposed. COMMISSIONER BRENNAN asked for clarification that the public can always attend virtually, promoting participation, and [unidentified and offscreen] replied yes. COMMISSIONER BRENNAN asked for clarification regarding staff participation in person. Geiser replied that the Commission staff liaison or other designated staff will always be present in the chamber to assist. Mr. Jared Aldridge, Meeting Associate, is in-person at meetings to facilitate the virtual experience for the public and for any Commissioners attending virtually.

CHAIR SANFORD asked if 10:00 p.m. is the end of meeting time for other Boards and Commissions, 41C. Geiser replied that there is a range and that three hours is typical. The meeting end time can be revisited by the Commission if needed. CHAIR SANFORD asked why a passage stating that commenters are encouraged to use the podium was stricken, Section 7C. Geiser replied that 50% of public comments are currently being made virtually. The passage could be left in but clarified as pertaining specifically to in-person comments. A microphone must be utilized within the room. CHAIR SANFORD indicated that the passage should be clarified.

MOTION to by COMMISSIONER GILBERT to amend the Development Commission Rules and Regulations by adopting amendments to Section one, Regular Meetings, Section seven, Participation, and new Section six, Virtual Attendance as proposed. MOTION seconded by COMMISSIONER BRENNAN.

COMMISSIONER DILLON stated preferring the current 7:00 p.m. meeting start time allowing for time for dinner with family before meetings as well as allowing for traffic issues. The meeting end time is not important. COMMISSIONERS GILBERT, MORGAN and PRICE stated being okay with either 6:30 p.m. or 7:00 p.m. COMMISSIONER PRICE stated that the staff memo indicated that a Commissioner had requested the change. CHAIR SANFORD stated that when the Development Commission has met at 6:30 p.m. with the Planning Policy Commission, the time had been comfortable and that an earlier start could be advantageous due to days shortening in winter. COMMISSIONER BRENNAN stated that balancing public need and personal time is understood, and not having a strong preference either way. COMMISSIONER MORGAN stated again being okay with either time. COMMISSIONER BRENNAN stated that as the MOTION made was for all amendments and a MOTION to amend the MOTION is needed prior to voting on meeting time only. COMMISSIONER DILLON rescinded the preference for a 7:00 p.m. meeting start time. The main MOTION would still be voted on with all amendments attached following all discussion.

COMMISSIONER BRENNAN stated that regarding participation of alternates, language would need to be amended for clarity. COMMISSIONER MORGAN suggested a change to language, and Geiser replied that due to a conflicting provision in existing rules, the second paragraph should be struck. CHAIR SANFORD stated agreement that there is a conflict.

10-19-22 Development Commission Meeting Minutes

MOTION to strike paragraph two of item 6B by COMMISSIONER MORGAN. MOTION seconded by COMMISSIONER BRENNAN. MOTION passed unanimously.

MOTION by CHAIR SANFORD to change article four, section 1C to *every effort will be made to conduct each meeting as efficiently as possible to adjourn the meeting no later than 9:30 p.m.* The MOTION was voted on and passed unanimously.

MOTION by CHAIR SANFORD to amend section seven, Participation, C, *the following guidelines are established for public comments made under general Public Comments or Public Hearings: Commenters attending in-person must use the lectern.* MOTION seconded by COMMISSIONER DILLON.

COMMISSIONER DILLON stated that the word *must* should be considered as people with disabilities may experience a challenge. Alternate language could be that *attendees in person must provide their comments via microphone.*

COMMISSIONER BRENNAN stated being in favor of striking the language considering how public engagement is televised. A portable microphone could be provided to someone unable to come to the lectern. CHAIR SANFORD stated that there was a consensus from the Commissioners that the language was unnecessary, and the amendment MOTION was withdrawn.

CHAIR SANFORD proposed, that in Section seven, Participation, under Personal Attacks, the last sentence would be more appropriate after Section seven C3. COMMISSIONER MORGAN stated seconding. The proposal was voted on and passed unanimously.

The main MOTION by COMMISSIONER GILBERT was amended, and the MOTION passed unanimously.

4. Reports

a) City Council Update (01:29)

Presented by Minnie Dhaliwal, Director, CP&D

Dhaliwal stated that the Title 18 update had been provided earlier in the meeting. Council is working on budget discussions. The whiteboard list has been discussed with the Council committee and through the budget process, items that were prioritized have been included in funding for the next two years including parking analysis, housing diversity, and stream buffers. A Contractor Code of Conduct is being discussed and four broad areas have been determined for focus: noise impacts, clean sites, community notification, and public safety. A community meeting will be held in November 2022 for further work.

5. Other Business/Announcements

a) Upcoming Schedule

10-19-22 Development Commission Meeting Minutes

There were no announcements.

6. Adjournment

- With no further business to conduct, CHAIR SANFORD adjourned the meeting at 8:33 p.m.

Respectfully submitted,

Carolyn Garza, LLC
Recording Secretary