



# MINUTES

## DEVELOPMENT COMMISSION 6:30 p.m. – Wednesday, December 6, 2023

### 1. Call to Order

The hybrid meeting was called to order at 6:30 p.m. by CHAIR SANFORD.

Commissioners Present: Chair Sanford, Vice-Chair Shore, Commissioners Brennan, Gilbert, Ikeda, Morgan, and Price

Absent: None

Staff Present: Emily Adams, Associate Planner  
Christian Geitz, Planning Manager  
Valerie Porter, Associate Planner  
Emily Appleton, Engineering Manager

CHAIR SANFORD introduced the new Alternate Commission members, Ola Fasehun and Geoff Mayo.

### 2. Approval of Minutes

#### a) Minutes of May 31, 2023

(Although the May 31, 2023 meeting appeared on the Agenda for Minutes approval, the meeting was an Appreciation Event re: Title 18 Land Use Code Update and no Minutes were produced.)

#### b) Minutes of February 15, 2023

With no corrections or comments the Minutes were approved.

### 3. Public Comments (General)

There were no requests to speak.

### 4. Public Hearing (S) (00:02)

#### a) Recommendation on Site Development Permit Application for Milano Apartments (A)

*Presented by:*

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*Emily Adams, Associate Planner*  
*Hossein Khorram, Owner/Applicant*  
*Valerie Porter, Associate Planner*

CHAIR SANFORD stated that the order of operation would be Purpose of Hearing, Appearance of Fairness Disclosures, Staff and Applicant Presentations, Public Comment, Rebuttal by Applicant and Staff, the Public Hearing closed, Commission Deliberations, and Action.

### **Appearance of Fairness Disclosures**

Geitz polled the Commissioners and the Commissioners unanimously replied no to all questions but yes to the last question. The audience was asked if any Commissioner should be challenged and there were no comments.

CHAIR SANFORD opened the Public Hearing at 6:36 p.m.

### **Staff Presentation (00:06)**

Adams was sworn in and stated that Valerie Porter, Associate Planner, would participate virtually. Adams gave the staff presentation.

There were no questions from the Commissioners.

### **Applicant Presentation (00:20)**

Khorram was sworn in and gave the applicant presentation.

There were no questions from the Commissioners.

### **Public Comment (00:31)**

- **Sudha Sama**, Issaquah resident, stated support for the project specifically for safer sidewalks and lighting.
- **Frank Khorram**, partner of Hossein Khorram, stated that the project will be positive for the entire community.
- **Bob Hagglund**, Snohomish County resident, stated that there is a shortage of housing and in Granite Falls, the sewer system cannot accommodate more growth. The project will be a great benefit to the community. A lack of standards has an adverse effect on the environment and projects like this not only can correct past mistakes but also generate money for the city, which can then be used for environmental mitigation, and Hagglund stated support for the project.
- **Yan Bakumets**, resident, stated a concern for affordable housing for families in Issaquah. A thoughtfully planned and code compliant apartment complex is an excellent

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housing solution for young families, and Bakumets urged approval for the project. The complex will also create jobs.

- **Carl Poschman**, Issaquah resident, asked for the height of the building compared to street level and clarification regarding setback from street.

CHAIR SANFORD replied that after comments and questions, the applicant would be able to respond.

- **Valeriy G** (virtual), an honorary consul for Ukraine in Seattle, stated that refugees who have immigrated to Washington State desire to move to Issaquah because the environment resembles western Ukraine. The project will be an improvement for the creek and an opportunity for needed affordable housing. The applicant is exceeding standards and setting an example for future projects.
- **Carolyn M** (virtual), resident of Fairwood, Washington, stated that there has not been affordable housing in Issaquah. Safe places are becoming harder to find. The project is forward thinking.
- **Geraldine Kerry**, Issaquah resident, asked for the amount of rent or mortgage dollars considered affordable for housing.
- **Landon Halverson**, Issaquah resident and a member of the Economic Vitality Commission, stated support for the project, and concern for precedent if the 65-unit project is denied considering the need. The applicant has tried to accomplish the project since pre-pandemic. If code is met or exceeded, buildings need to be accepted to encourage developers.
- **Connie Marsh**, Squak Mountain, stated concern regarding stormwater treatment and maintenance of cartridge systems. Future maintenance should be conditioned. The interface between Schneider Creek coming into the property is another concern. The project will feed through a system that impacts the wetland inappropriately currently. Intentions for the stormwater outlet should be addressed.

### **Staff and Applicant Rebuttal (00:56)**

Khorrām thanked everyone for all comments. Projects do take longer in Issaquah. The allowed height in the density bonus program is 65 feet from average street grade and the project is below what is allowed. The setback from the street is 12-13 feet, almost as far as possible from the property line. The apartments will be rented and not sold. HB 11-10 eliminated single-family zones in the state and multi-family will be able to be built there, the price to pay now for the next generation to be able to live in Issaquah. The rentals will be 50% AMI, roughly \$1,000-\$1,100 per month whereas the market-rate in the area is approximately \$2,200 - \$2,300 per month. Regarding storm maintenance, Khorrām stated that inspections are conducted personally and stated agreement that in some cases on other projects the inspections do not occur. Cartridges should be inspected every year and Khorrām described the process. The Landscape Architect can address Planting around Schneider Creek. Storm drainage for the project is based on the

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2019 Department of Ecology Stormwater Manual and the Issaquah 2022 Stormwater Manual Addendum and can be addressed by the Civil Engineer on the project. Flooding is in the WSDOT area of responsibility to keep overgrown areas clear and flowing.

Khorram asked if the Commissioners had any questions and there were none.

The project Landscape Architect (not identified) stated that staff are aware of the culvert which has been coordinated from the beginning. The Landscape Permit will specify where and what plantings will occur, coordinated with Public Works.

Eva Parker *with* Talasaea Consultants representing Environmental Planners stated that Schneider Creek overflow occurs off-site, north of the proposed site. Mitigation area owned by WSDOT is overgrown and the culvert is a point of congestion, blockage on the northside of I-90 or within the culvert.

Michael Moody (virtual), Project Engineer, described the process to fully comply with stormwater and water quality requirements. Khorram reiterated that there would be less run-off at post development, an improvement in volume and water quality enhancement.

There was no staff rebuttal.

CHAIR SANFORD closed the Public Hearing at 7:44 p.m.

### **Commissioner Deliberation (01:14)**

COMMISSIONER MORGAN asked regarding for clarification that conditions 17 and 25 regarding decommissioning are different. Adams replied that one is for the decommissioning of the septic system while the other is for the decommissioning of the well on-site.

COMMISSIONER MORGAN asked if the garbage company has been consulted on access given a steep driveway. Adams replied that the applicant is required to consult with Recology and that there are specific standards that must be met to be approved. COMMISSIONER MORGAN asked for clarification that the stormwater birdcage is off-site and not an issue for the property and Adams replied correct. COMMISSIONER MORGAN asked for clarification that the system will not make a problem worse. Emily Appleton (virtual), Engineering Manager, replied that staff have reviewed the downstream analysis and design complies with adopted stormwater regulations.

VICE-CHAIR SHORE asked if the city has investigated the outfall at the birdcage and if erosion is currently happening. Appleton replied that the initially proposed design progressing to final design for construction permits requires additional review and that staff will ensure that all regulations are met, and issues addressed. VICE-CHAIR SHORE asked if the project is allowed to touch the off-site area or make improvements. Appleton replied needing to confirm, but that a stormwater easement is on a joint easement.

COMMISSIONER MORGAN asked for clarification regarding the condition for Floor Area Ratio (F.A.R.) in the Urban Design Review Checklist. Adams replied that the standard is met in that base F.A.R. and height does require the Density Bonus Program. COMMISSIONER MORGAN

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asked if the Density Bonus Program is a condition, or a required standard and Adams replied required standard. COMMISSIONER MORGAN stated that an educational process through the checklist may be helpful for Commissioners and Adams replied that the project is vested, and the checklist may no longer be used. COMMISSIONER MORGAN asked for clarification regarding any standards for blank walls, particularly garage walls in a pedestrian passage. Adams replied that there will be trees planted. COMMISSIONER MORGAN replied that vegetation can be removed in the future and that the intent is to treat blank walls with modulation and details, and that a condition should be that blank walls are addressed with more than only landscaping. Khorram replied that the wall will mimic the residential area look with windows as well as screens attached as a form of art. COMMISSIONER MORGAN stated that what is being shown in plans is blank wall. Adams replied that 14.2 is in conjunction with 10.9, allowing for landscape to be used to enhance a blank wall. COMMISSIONER MORGAN stated not being satisfied because the landscaping could be removed and asked about a setback and tripartite design. Adams replied that staff feels that the requirement has been met. COMMISSIONER MORGAN asked if an unidentified area is considered a pedestrian connection or through-block passage and Adams replied primary through-block passage. COMMISSIONER MORGAN asked if the passage is needed, 18702.040. Adams replied that the code referenced is new and not in effect for the project.

COMMISSIONER GILBERT stated that the Title 18 required Northwest Revival style is mostly met on the façade, but asked if there is a glass curtain wall on the front façade. Adams replied that windows are punched in behind the wall, glass down the side, and staff interpretation is that code is met; the Commission is the designing body, however, and a condition can be added to change.

VICE-CHAIR SHORE asked if there is a standard for what is required regarding condition ten, pedestrian path lighting. Adams replied that there is lighting along the through-block passage, but the current lighting plan shows zero-foot candles. Staff believes there should be illuminating lighting for safety but there is no exact standard. A third-party lighting consultant reviews the plan as part of construction, meeting Section 17 of the Central Issaquah Design Standards (CIDS).

COMMISSIONER IKEDA asked if design addresses the geotechnical report and predicted settlement with a seismic event.

Khorram asked to first reply to the window concern, that staff had directed the applicant to design as shown. Regarding lighting, being close to a critical area, uplights are not to be used. All lighting in the passage is downlight and mushroom lights on the ground. Regarding settlement, Khorram described the ground improvement process.

COMMISSIONER BRENNAN asked for clarification regarding the F.A.R. Density Bonus and any economic issues that would be created. Khorram replied by acquiescing to the knowledge of Adams regarding code. COMMISSIONER BRENNAN asked for clarification from the Staff Report that stormwater work remains to be done. Khorram replied that there is not a design issue but rather a WSDOT maintenance issue. Adams replied that Land Use permit level engineering designs are preliminary designs that are fine tuned as part of construction permitting, and only finalization of stormwater design. COMMISSIONER BRENNAN asked for

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the condition of the frontage. Adams replied that as required by code, there is a build-to line, the maximum of 15 feet for the pedestrian experience, that the parking structure will be below grade, and further details. COMMISSIONER BRENNAN asked if there are stairs to unit entries and Adams replied yes. COMMISSIONER BRENNAN stated that the openings on the blank wall at the garage are not well-depicted on plans. Khorram replied that there is always room for improvement and suggestions, and asked Adams to add a green screen. Adams stated that regarding blank wall windows, the Commission will decide design, and if more architectural elements and screening than bonded landscaping should be required a condition can be added to the permit.

COMMISSIONER MORGAN stated having read 10.9 of CIDS, a condition for more screening beyond landscaping would be a good idea.

VICE-CHAIR SHORE asked for the duration of the landscape bond and Adams replied five years.

COMMISSIONER MORGAN stated that regarding any art, the Issaquah Arts Commission could be contacted, and local artists be utilized. CHAIR SANFORD asked if COMMISSIONER MORGAN would like to propose a condition for the blank walls and COMMISSIONER MORGAN replied at the main Motion.

CHAIR SANFORD asked staff for clarification regarding what will be on the rooftop. Adams replied mechanical units and a rooftop community space amenity. CHAIR SANFORD asked if solar panels would still be a part of design and Adams replied yes. CHAIR SANFORD asked for clarification regarding rooftop safety. Adams replied that there is a railing and that the Building Official as part of the Building Permit will ensure standards are met. Khorram replied that a 42" guardrail will be around all public areas. CHAIR SANFORD asked if public areas are separated from solar and mechanical and Khorram replied yes. CHAIR SANFORD asked for clarification regarding parking spaces, 65 units with 53 spaces. Adams replied that the new Title 18 code is tier one. CHAIR SANFORD asked for the permissible ratio range and Adams replied that the required parking is 47 spaces. Porter asked CHAIR SANFORD if more parking is desired. CHAIR SANFORD replied that the public is concerned regarding spill-over parking into other lots, and other issues involve visitors, Building Managers, and staff, and asked for clarification regarding the development of public transit on Newport Way. Porter replied that parking meets code, and that the applicant cannot be required to provide more. CHAIR SANFORD asked for clarification that in the code there was not a range of parking spaces but more specific. Adams replied that there is a minimum and maximum depending on the type of unit. CHAIR SANFORD asked if the city chose the ratio to be applied to the building, and Adams replied that when parking is proposed, the job of staff is to be sure minimum or maximum are achieved. CHAIR SANFORD asked if other Commissioners had comments regarding whether the anticipated need for parking will be satisfied. COMMISSIONER BRENNAN replied that code is arrived at after studying needs and if the range is allowed, there is no issue. A concern can be sent to staff if the amount of parking is not deemed adequate for the location.

**Action (01:52)**

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MOTION by COMMISSIONER IKEDA that the Development Commission approve the Site Development Permit for the Milano Issaquah Apartments, SDP20-00002, and associated Administrative Adjustment of Standard AAS23-00009 as described and evaluated in the Staff Report dated November 16, 2023 with exhibits A through X subject to the conditions therein and amended tonight. MOTION seconded by COMMISSIONER MORGAN.

MOTION to add by COMMISSIONER MORGAN Condition #31, to avoid the appearance of blank walls, the exterior garage walls and especially the east elevation shall be improved with textures, art, trellises, or other elements. MOTION seconded by COMMISSIONER BRENNAN. The Condition passed unanimously.

The main MOTION passed unanimously.

MOTION by COMMISSIONER IKEDA to direct the Community Planning & Development Department to prepare findings of fact and conclusions for review and approval by the Development Commission Chairperson affirming the decision of the Commission to approve the Milano Issaquah apartments, file SDP20-00002 and the associated Administrative Adjustment of Standards file AAS23-00009 subject to the conditions listed in the Staff Report dated November 16, 2023 with exhibits A through X and as amended tonight. MOTION seconded by COMMISSIONER MORGAN. The MOTION carried unanimously.

COMMISSIONER MORGAN complimented Khorrām on persistence over years for the project.

CHAIR SANFORD stated that staff would issue a Notice of Decision within seven days.

## 5. Regular Business

### a) Adopt Rules & Regulations (A) (01:57)

*Presented by:*

*Christian Geitz, Planning Manager*

Geitz introduced a change to update rules to reflect Development Commission regulations being moved from Title 18 to Title 2 where the other Commission rules are set, and a change in meeting frequency from twice per month to once per month.

COMMISSIONER BRENNAN stated that the role of the Commission and pace of development has changed, but that one meeting per month could potentially delay projects. Rules allow for special meetings, but projects should be accommodated if needed. Geitz replied that staff will accommodate. COMMISSIONER GILBERT asked if a main concern was making the conference room available and Geitz replied no, but that the availability will be helpful to other Commissions. The only restriction within the current code is for a Pre-Application Community Meeting which cannot be held on the same day as another city meeting.

CHAIR SANFORD asked for clarification that changing the meeting rules is consistent with code and Geitz replied yes.

VICE-CHAIR SHORE stated that not having a regular schedule, considering special meetings, could result in difficulty achieving a quorum.

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CHAIR SANFORD asked Geitz if anything more was needed and Geitz replied no.

- b) **Elect Chair & Vice-Chair (A) (02:03)**  
*Presented by:*  
*Richard Sanford, Chair*

CHAIR SANFORD stated that the election results would be effective through April 30, 2024. The Commission had not met since the usual election period of April, 2023.

COMMISSIONER MORGAN nominated CHAIR SANFORD to continue as CHAIR. CHAIR SANFORD accepted the position of CHAIR.

COMMISSIONER GILBERT nominated COMMISSIONER MORGAN for VICE-CHAIR. COMMISSIONER MORGAN nominated VICE-CHAIR SHORE to continue as VICE-CHAIR. COMMISSIONER MORGAN asked to be removed from consideration for VICE-CHAIR. VICE-CHAIR SHORE accepted the position of VICE-CHAIR.

## 6. Reports

- a) **City Council Update (02:06)**  
*Presented by:*  
*Christian Geitz, Planning Manager*

Geitz stated that since the 2023 election there were no changes to City Council positions and voting by Council for CHAIR and VICE-CHAIR will occur in January 2024.

Title 18 updates are in the final steps of implementation.

Council approved the Lakeside Development Agreement last month

Staff is working on Comprehensive policies and goals in 2024. Parking will be a major zoning code update responding to HB 11-10.

## 7. Other Business/Announcements

- a) **Upcoming Schedule**

There was no further business.

## 8. Adjournment

CHAIR SANFORD adjourned the meeting at 8:38 p.m.

Respectfully submitted,

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Carolyn Garza, LLC  
Recording Secretary