

Planning Policy Commission
6-28-18

**CITY OF ISSAQUAH
PLANNING POLICY COMMISSION
MINUTES**

June 28, 2018

City Hall South
Council Chambers

135 Sunset Way
Issaquah, WA 98027

PPC MEMBERS PRESENT	STAFF PRESENT
Joan Probala, Chair	Trish Heinonen, Planning Policy Manager
Ron Faul, Vice Chair	Christen Leeson, Senior Planner
Bill Rinehart	Keith Niven, Dev. Svcs. & Econ. Dev. Director
Jamie Rosen	EXCUSED ABSENCES
AJ McGauley, Alt.	Joy Lewis
	Lindsey Walsh
	Troy Rahmig
	Jason Voiss, Alt.

1. CALL TO ORDER

PROBALA, Chair, called the meeting to order at 6:32 PM.

2. APPROVAL OF MINUTES

a. MOVED BY FAUL, SECONDED BY RINEHART that minutes of the June 14, 2018 PPC meeting be approved as presented. MOTION CARRIED BY UNANIMOUS VOTE OF ALL PPC MEMBERS PRESENT.

b. MOVED BY FAUL, SECONDED BY ROSEN that minutes of the June 21, 2018 PPC meeting be approved as presented. MOTION CARRIED BY UNANIMOUS VOTE OF ALL PPC MEMBERS PRESENT.

3. AGENDA ITEMS

a. Proposed Rezone to Parcels Zoned Destination Retail and Intensive Commercial Outside Central Issaquah Plan Area (D) (Continued deliberation from June 21, 2018)

PROBALA noted at the end of the June 21 meeting, a meeting was proposed for June 26 between property owners affected by the proposed rezone and the City. She said she and FAUL attended the meeting as observers. It was very productive, she continued. The business owners had an opportunity to explain why they should not be downzoned and the City was open to listening to them. Together they came up with good compromise which Heinonen will explain tonight, including the main items that will change if the proposal is approved.

Heinonen said the basic proposal for those properties currently zoned Intensive Commercial that are now outside Central Issaquah, is to have them continue to be zoned Intensive Commercial, however change the development standards for Intensive Commercial (outside Central Issaquah) for the rear setback from 10 to five feet, and change the maximum impervious surface allowance from 65 percent to 90 percent. These new Intensive Commercial regulations would apply to all Intensive Commercial properties outside Central Issaquah. She continued the proposal for those properties currently zoned Destination Retail is to create a new Destination Retail zone outside Central Issaquah and retain all the same development standards except the maximum front setback, which would change from ten feet to zero feet. She displayed a chart that summarized the

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proposed amendments, as follows, and referred to information in the agenda packet for additional details.

Summary of Proposed Amendments (Updated Administration Recommendation)	
INTENSIVE COMMERCIAL (IC) (Exhibit A)	Amend <i>IMC 18.07.360 District Standards Table</i> to change: the maximum impervious surface to 90%; the front setback to 10 feet, the side setback to 5 feet and rear setback to 5 feet; and keeping the base height at 40 feet and maximum height at 65 feet. No changes to any other standards, including parking, landscaping and tree retention.
DESTINATION RETAIL (DR) (Exhibit B)	Amend <i>IMC 18.06 Establishment of Zoning Districts</i> to add "Destination Retail" zoning district; amending <i>IMC 18.07.360 District Standards Table</i> to add "Destination Retail" with these standards: the maximum impervious surface as 90%; the front setback to 10 feet, the side setback to 0 feet and rear setback to 0 feet; and the base height is 48 feet and maximum height is 65 feet; and density is limited by the impervious surface ratio, height, setbacks, etc, instead of Floor Area Ratio (FAR). No changes to any other standards, including parking, landscaping and tree retention.

McGAULEY asked would the IC regulations apply to any other properties that are currently zoned IC outside Central Issaquah. Leeson replied yes, there are two, and referred to a parcel on the map on page 2 of 52 just to the west of the urban village and the west part of the parcel previously owned by King County. Heinonen noted that this parcel is part of the City's transit-oriented development (TOD) project, as Century Link would move to this Intensive Commercial parcel to free up the site adjacent to the Issaquah Park and Ride. She noted those two parcels would have increases in their allowed impervious surface and a decrease in the required rear setbacks. McGAULEY asked is it correct that there would be no change in allowable height, and that no other parcels in the City would be impacted. Heinonen replied that is correct.

Public Comments

John Mabbott, general manager of The Grange at 145 NE Gilman Blvd., Issaquah, expressed his satisfaction with the process and outcome.

PROBALA said on issues like this one in the future, she would like to see the City and property owners get together and work out reasonable solutions. She thanked the business owners for their participation in the process and for working with the City.

Commissioner Discussion

McGAULEY asked what was the rationale for retaining the 10-foot front setback in the new DR-IMC zone. Heinonen said the zero-foot setback from the DR-Central Issaquah zoning designation was intended to reflect the more pedestrian feeling of Central Issaquah, whereas most of the DR uses are already set back because their frontage is on East Gilman. Requiring a zero-foot setback is not as realistic for that area. McGAULEY asked if the front setback is set at 10 feet, does that mean that a developer has to build up to that line. Niven said no, and explained the difference between a set-to and a set-back line. McGAULEY asked is the ten-foot frontage requirement for IC a minimum. Niven replied yes. McGAULEY asked why not set the minimum as zero. Niven explained the current uses in DR are largely patronized via vehicle, such as The Grange, XXX Drive-In, and Boehm's. The 10-foot setback that exists now is mostly used for landscaping and circulation. He continued he doesn't have a strong feeling against considering a zero setback

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minimum, but a ten-foot minimum is more in keeping with the retail zone that existed there before Central Issaquah was created.

McGAULEY said he would like PPC to consider a zero-setback minimum for IC. ROSEN asked him to elaborate on his concern. McGAULEY spoke to how Olde Town could be more walkable in the future, say 10 or 20 years down the line. A current property owner might want to redevelop at a zero-foot minimum now in anticipation of that development, he stated, and he sees no reason to prohibit that.

FAUL spoke in favor of consistency with what exists today, and said he does not think The Grange or Boehm's are likely to redevelop soon. He said it could be very jarring to have a building built right out to the zero-setback line because it wouldn't match the adjacent existing buildings.

Niven clarified that the ten-foot setback means that the ten feet of landscaping that exists now at The Grange, for example, would have to be maintained if the property was redeveloped. McGAULEY said he is suggesting that the property owner be allowed to build right at the zero-foot line if they so choose. PROBALA suggested the landscaping that exists is an advantage for people walking there, and for the possibility of having an outdoor café or seating. ROSEN agreed, and asked are there sidewalks there. Niven replied no, and said other things would have to take place before that street could be walkable for pedestrians.

FAUL asked how the proposal to change the allowable impervious surface for IC from 65 percent to 90 percent would impact property owners. He expressed his concern about water runoff, stormwater management, and additional costs to either property owners or the City from increasing the maximum allowable impervious surface. Niven explained that property owners would be required to have plans for appropriate stormwater and water runoff storage facilities, dry wells, and so on as part of the permitting process. He continued under NPDES (National Pollutant Discharge Elimination System), the first tier in the hierarchy of stormwater management is to look at whether stormwater can be infiltrated onsite, which depends on whether the soil will percolate and water can infiltrate. If not, then the project engineers would look at other solutions. He concluded that stormwater management is largely a function of the soils condition, and a developer would have an obligation to comply with stormwater management even if they chose to pave nearly the entire site.

FAUL asked what if the property owner wanted to redevelop with, say, underground parking. Niven said all the NPDES and City regulations would apply. FAUL asked would allowing a greater maximum of impervious surface add to a property owners' costs. Niven explained if a property owner chose to redevelop, then they would be choosing to incur any costs that accompanied using a greater percentage of impervious surface. FAUL said so if 90 percent impervious was allowed as the maximum, it would be up to the property owner to decide whether or not it would be cost beneficial for them to develop at, say, 85 percent vs. 90 percent. Niven replied that is correct. He noted the 90 percent impervious in the proposal is a cap and not a requirement.

RINEHART asked did any concerns about stormwater management come up at Tuesday's meeting with the community. PROBALA replied no. ROSEN asked is it correct that any additional costs for stormwater management due to redevelopment using a higher percentage of impervious surface would be the property owner's responsibility. PROBALA replied that is correct.

FAUL asked clarifying questions about the property owner to the far-most eastern properties on Gilman (Sam Kyle). He said it was his understanding that Mr. Kyle indicated a preference to potentially have a zero-foot setback for underground parking as well as for above-ground buildings on his properties. Niven said he's not completely sure, but he thinks that the 10-foot setback that

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applies above ground would apply to below-ground parking as well. He said he believes Mr. Kyle agreed that establishing a ten-foot setback was acceptable and setting it at ten feet would match adjacent buildings that already exist. He showed the property on both a diagram and an aerial photo.

FAUL questioned whether the properties, if merged, would still have a front yard on Third Ave. He noted down the line, the Third Ave. side could become the side yard, which would require a zero-foot setback. Niven replied that would depend on which properties were merged, and said the City would still have some say about where access would be located, which side would be considered the front, and so on. McGAULEY said it seems like a unique and probably unlikely case. Niven said he thinks it's a good point, but we can't imagine every circumstance of what could happen in the future, and write code that addresses all those circumstances. He added the properties could have been merged had they remained under the current Central Issaquah zoning regulations. The Council asked PPC to look at rezoning after taking them out of central Issaquah, and did not ask PPC to address any other problems associated with them. He continued with examples of how the properties could be redeveloped, and said one of the situations that is encountered when properties are adjacent to properties with different zoning is that the setbacks can differ.

ROSEN asked was there any discussion at Tuesday's meeting about side and rear setbacks. Niven said the property owners who attended lobbied to make setback minimums as small as possible.

ROSEN said she appreciates FAUL's long-term look at this, and thinks it is an important perspective for PPC. She said she doesn't feel comfortable just saying that looking long-term is not part of what the Council has asked PPC to do, and would not want to err on the side of saying "that isn't PPC mission." PROBALA noted she also appreciates a long-term vision, but we can't be concerned with every scenario of what might happen 40 or 50 years out. As we review codes, we need to think about what the codes could affect in the future, but given all the variables, trying to be too specific might not be productive.

MOVED BY RINEHART, SECONDED BY FAUL that PPC recommend approval of the Administration's recommendation for a proposed rezone for parcels zoned Destination Retail outside the Central Issaquah Plan area, and that the recommendation be forwarded to Council.
MOTION CARRIED BY UNANIMOUS VOTE OF ALL PPC MEMBERS PRESENT.

MOVED BY RINEHART, SECONDED BY FAUL that PPC recommend approval of the Administration's recommendation for a proposed rezone for parcels zoned Intensive Commercial outside the Central Issaquah Plan area, and that the recommendation be forwarded to Council.
MOTION CARRIED BY UNANIMOUS VOTE OF ALL PPC MEMBERS PRESENT.

Heinonen said the next step in the approval process is review by the Council's Land and Shore Committee. Staff will email interested parties with more details about when that meeting will occur.

4. OTHER BUSINESS/ANNOUNCEMENTS/ADJOURNMENT

PROBALA reminded PPC members that the public hearing on the Olde Town Subarea Plan update has been continued to PPC's July 12 meeting. McGAULEY asked will that discussion include Olde Town Subarea boundaries. Heinonen replied yes, and said letters will be sent to property owners both to the north of Olde Town and southern part of Olde Town so they are aware of that discussion. Leeson clarified 59 letters will be sent to those in the northern Old Route 10 area, and about 150 to the southern part of Olde Town. ROSEN asked that a copy of that letter be provided to PPC members. Staff made a note of it. McGAULEY asked would a southern boundary

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change result in a design change for the affected properties. Heinonen replied no, not at this time, although that could be part of a future action.

ROSEN thanked the City and property owners for working together to find a solution to the rezoning issue. Others agreed.

5. ADJOURNMENT

With no additional business to conduct, the meeting was adjourned at 7:35 PM.

Respectfully submitted,

Susan Lowe
Recording Secretary

(Note: Alternate Members did not vote at tonight's meeting as there was a quorum of Regular Members present.)