

City of Lake Forest Park - Planning Commission
Special Meeting Minutes: February 25, 2020
17425 Ballinger Way NE—Council Chambers

Planning Commissioners present: Vice Chair Maddy Larson, Richard Saunders, TJ Fudge, Jon Lebo, Ira Gross, Rachael Katz; Steve Morris

Staff and others present: Mayor Jeff Johnson, Lori Bodi, Councilmember, Philipa Kassover, Councilmember Tom French, Councilmember; Kim Adams-Pratt, City Attorney; Nick Holland, Senior Planner; Philip Hill, City Administrator,

Members of the Public: Mike Dee; Julian Anderson; Ned Lawson; Ken and Marcia Tank, Dave Lange, Eric Muilenburg, Libby Fiene, Robert Horsley, Byron Barnes

Planning Commissioners absent: Chair Joel Paisner, Mark Withers

Call to order: 7:02 PM

Approval of Agenda: Cmr. Katz moved to approve the agenda, and Cmr. Saunders seconded. The agenda was approved unanimously.

Public Comment:

Mike Dee:

He thanked the Commission for scheduling their meeting to not conflict with parks and recreation meeting, and also thanked staff for the updated agenda packet. He suggested having public comment any time before voting.

Julian Anderson:

He thanked the Commission for all of the accomplishments at the last meeting. He encouraged not to forward the administrative section until it has the same attention as the parking garage regulations. He suggested looking at it in further detail during the likely extension of the moratorium.

Libby Fiene:

She thanked the Commission for all of their work. She said that the garage code should not reflect residential units. She is opposed to creation of a new design review board and said it would decrease public input and provide administrative emphasis.

Ned Lawson:

He thanked the Commission and supports their recommendation to the City Council to extend the moratorium. He said that he supports a traffic study and mitigation plan for town center. He said he is cautious about bonuses, and asked to identify those bonuses and what it would take to grant the bonus. He said this will be a long project and would like to use institutional memory to inform those in the future. He said he does not support decisions being made by staff or a design review board.

Approval of Meeting Minutes

None, but a memorandum from the Chair is available summarizing the motions made at the 2-19-20 meeting.

Next Meeting

March 10, 2020 is the next regularly scheduled meeting.

1 **Report from City Council Liaison**

2 Councilmember French said he would like to express his condolences to Director Bennett. He said that the
3 Council had conversations regarding the motions passed at the last meeting, and said he appreciates the
4 summary created by staff. He reminded everyone that the extension of the moratorium is on the Council's
5 agenda for Thursday.

6 Cmr. Saunders asked if Councilmember French if he could share the general feelings about the moratorium
7 extension. Councilmember French said that the motions were very well received, but that he cannot speak for
8 the rest of the Council. He said he can only speak for himself, but that a Council retreat is occurring this
9 weekend. Cmr. Larson asked if the moratorium considers all of town center or just the parking garage.
10 Councilmember French said that they are considering a moratorium for the entire town center but does not
11 know for sure what will occur on Thursday. He also said that there are some legal questions about what can
12 change with an extension of a current moratorium.

13 **Old Business**

14 • Implementation of Town Center Vision
15 ○ Discussion of freestanding parking structure design guidelines

16 Cmr. Larson asked if the Commissioners have had a chance to review the edits to the draft regulations. She
17 opened the floor for discussion. Cmr. Saunders said that he would like to proceed with recommendations.
18 Cmr. Lebo recused himself from discussions regarding the parking garage. Cmr. Larson said that it would be
19 helpful to look at individual sections, and specifically the regulations for the parking garage. She asked others
20 for comments. Cmr. Katz suggested a page turn starting at page six. Cmr. Larson asked how the old code
21 gets replaced. Ms. Adams-Pratt said it is a repeal and replace strategy. She also said that sections of the old
22 code could be included in the new, if they are desired to be retained. Cmr. Larson asked if there are questions
23 on setbacks and the amendments on page seven. Cmr. Fudge asked if the word penthouse could be stricken,
24 and then clarified that he was looking at page eight. Cmr. Katz said that modification of the façade alignment
25 section on page 7 should be considered. Cmr. Larson agreed, and Cmr. Katz asked to keep line 14-16, and
26 strike the rest of the subsection two. She read the section aloud. She moved to strike the second half of line
27 16, starting with "when through," and strike the following lines ending at the first line on page eight. Cmr.
28 Morris seconded. Cmr. Katz explained her rational regarding the motion. Cmr. Larson said that it references
29 a section that doesn't exist. A vote occurred, and the motion passed 6-0.

30 Cmr. Fudge commented on the word penthouse on page eight, and asked if there is another word that could
31 apply. Cmr. Katz offered explanation and said that it deals with areas to locate mechanical equipment. It was
32 suggested that the language be changed to "mechanical equipment enclosures". Cmr. Fudge said that he
33 researched the term solar ready, and said that he would like to be specific about what the term means. He
34 mentioned that he does not have a recommendation for what terms to use. Cmr. Saunders said that the
35 Council could explore the term and issue further. Cmr. Saunders had a question on line 3 from page 8, and
36 said that the "not to exceed square footage" language may be in conflict with other portions of the code.
37 Cmr. Fudge said that one section describes a store and one describes the parking garage footprint. Cmr.
38 Saunders said that line 36 references the term facades, and asked Ms. Pratt about how to apply the word
39 façade. Administrator Hill provided clarification on how façade applies, and said it typically refers to each side
40 of the building. Cmr. Fudge said sections within page eight with regard to pedestrian facilities may be in
41 conflict with sections on page 12. Administrator Hill clarified that sidewalks around the parking garage would
42 be a defined width, and other areas could be variable widths. Cmr. Fudge suggested that weather protection
43 be added to areas where sidewalks and pedestrian access will be available and be eliminated in areas where
44 bicycles and vehicles enter and exit. Cmr. Katz agreed with Cmr. Fudge, and so did Cmr. Morris. Ms. Pratt
45 clarified that the Commission wanted to eliminate section (C) on page eight, and add a weather protection
46 requirement in section (J) (2) (b), all Commissioners agreed.

1 Cmr. Larson suggested to amend page eight line five from “and” to “or.” Discussion occurred. It was
2 decided that “and” would remain. Cmr. Gross suggested alternative language for the section. Ms. Pratt
3 suggested yet additional language, and the Commissioners agreed with Ms. Pratt.
4

5 Cmr. Fudge talked about the table on page nine; and said that the information from Boise may not be the
6 dimensions we want to use in LFP. He suggested letting Sound Transit handle parking stall dimensions. Cmr.
7 Katz suggested letting the Council handle the dimensional requirements. Discussion occurred on the parking
8 stall dimensions. Cmr. Larson asked if there is a possibility to require the roof of the garage to be flat. Cmr.
9 Gross said that 2% slope is not significant.
10

11 Cmr. Fudge said that on page 10, section (G) (2); the language regarding parking studies should be eliminated
12 and suggested that any parking displaced as a result of the project should be replaced in kind. Discussion
13 occurred on that section and Cmr. Larson said that section is new and has not been discussed. Cmr. Larson
14 moved to strike that section from the draft, Cmr. Morris seconded. Motion passed unanimously, 6-0.
15

16 Cmr. Fudge asked for a comma to be added on page 11, line two. All were in agreement. Cmr. Fudge asked
17 about long-term bike parking/storage and how they would accommodate different bike types. Cmr. Morris
18 suggested that the parking equipment should accommodate all types of bikes. Cmr. Gross agreed with adding
19 some clarity. A discussion occurred on the type of equipment used for bicycle storage, and when roof top
20 bike parking should occur. Cmr. Larson suggested having the bike parking solely on the ground floor. The
21 Commissioners discussed where to accommodate bicycle storage, and with what type of equipment to use for
22 that purpose. Cmr. Fudge provided an explanation for long and short term bike parking in the context of the
23 parking garage. Cmr. Gross said he was in favor of having short term storage on the ground floor. It was
24 decided by all that non-standard bicycle storage should be accommodated on the ground floor. Cmr. Larson
25 summarized her understanding of the location of bicycle parking facilities which is to include providing
26 bicycle parking on all floors except for facilities used for oversized bikes, which will be located on the ground
27 floor. She asked for any other changes on page 11. Cmr. Fudge suggested striking the last sentence of
28 section three (C) (line 29 and 30 on page 11)- regarding elevator capacity for bicycles. Cmr. Fudge suggested
29 that short term bicycle parking should be located in an area that is most visible to the public, and suggested
30 adding that to section (3) (B). All agreed.
31

32 Discussion occurred regarding where to place bicycle maintenance stations and the issue of the word
33 “penthouse” again came up. Administrator Hill suggested using the same language for “penthouse” as
34 decided upon before, and the Commissioners agreed to replace that word with language decided upon for
35 page eight. Cmr. Larson suggested adding language reading, “at least one bicycle repair station must be
36 provided for long-term bicycle parking.” All Commissioners agreed.
37

38 Cmr. Larson asked for any edits on page 13, none were suggested and she suggested moving onto page 14.
39

40 Cmr. Larson suggested that edits be made on Page 14, section (M) - Public Benefits. She said that she
41 wanted to strike language related to façade protrusion beyond City Hall and suggested that line 21 read, “use
42 of bonus height shall be a major town center design review project.” She asked if all agreed, and all
43 Commissioners concurred. Cmr. Fudge had a question on page 13, and section (M) (1) (a), and asked if there
44 was flexibility on where the façade space can be located with a minimum depth of 60 feet. He asked how a
45 corner space would be measured. Cmr. Morris suggested leaving the section as drafted. A discussion
46 occurred regarding the 60 foot requirement. Cmr. Larson said she is Ok with the way the section as drafted as
47 long as one measurement is 60 feet. Cmr. Fudge talked about the minimum amount of tenant space square
48 footage within the garage being a required 10,000 square feet. He asked if that is what the Commission wants
49 for commercial tenant space size, and asked them to consider 9,000 square feet for a minimum. Cmr. Katz
50 said she is comfortable with the drafted square footage, and Cmr. Larson also agreed. Cmr. Larson said that
51 a bonus opportunity is also available. A discussion occurred regarding what the minimum amount of
52 commercial space could be, and how a development agreement could facilitate the construction of the

1 parking garage. Cmr. Larson suggested leaving the language as drafted. Cmr. Larson said she was confused
2 about the language on line 28-31 (page 14). Administrator Hill provided his understanding of the language,
3 and explained his understanding of the different types of public benefits that would be required for the
4 community space. Cmr. Katz provided her understanding. Cmr. Larson said she would like to see variety in
5 the requirement.

6
7 A discussion of in lieu fee program occurred, and Cmr. Katz said that Council should decide the structure of
8 this program and section. Cmr. Larson said that the Commission does not have time to evaluate the
9 program. Cmr. Saunders related the program to the development agreement process and how to integrate it
10 into that process. Cmr. Larson said that the in lieu fee program is a staff recommendation and not one that
11 came from the Commission. Cmr. Morris suggested leaving the language as drafted.

12
13 Cmr. Gross moved to forward the draft section of LFPMC 18.42.090 as amended through this meeting to the
14 City Council for consideration. Cmr. Morris seconded. Cmr. Fudge suggested that the changes the
15 Commission made tonight should be incorporated into a draft before they forward it to the Council. Ms.
16 Pratt suggested that another review was not necessary. Cmr. Katz agreed and so did Cmr. Morris. Cmr.
17 Saunders agreed with Cmr. Fudge, but given the timing he is in favor of sending the draft immediately. A
18 vote occurred on the motion, and the motion passed 5-1.

19
20 Final review of administration (design review) and development agreement provisions

21 Cmr. Larson talked about a previous application filed by a developer for a town center project. She suggested
22 that a final review be postponed because of information they received regarding the previous application.
23 Cmr. Lebo said he will be involved in these conversations. Cmr. Katz said that this section was not only a
24 recommendation from staff, but also from the Commission and that she supports the use of a design review
25 board to determine compliance with architectural standards. She said that the intent of the proposed changes
26 were not to give decision making power to administration, and that public involvement is incorporated in this
27 draft. Cmr. Saunders would like to discuss the structure of these regulations with the Commission. Ms. Pratt
28 clarified the difference between a development agreement where the City Council by statute makes the final
29 decision, and then said that an application involving a design review board would require that the Hearing
30 Examiner make the final decision. Cmr. Katz said that a hearing examiner is not a rubber stamp. Cmr. Lebo
31 said he is in support of a design review board. He asked to revise the selection process for the board to
32 include only those who are residents in LFP and also suggested a revision to require that the Mayor appoint
33 those individuals. He said that the Council can always get involved if they want to. Cmr. Morris agreed with
34 Cmr. Katz and Cmr. Lebo and so did Cmr. Gross. Cmr. Fudge said that he supports design review boards,
35 but that the base code should be very tight. Cmr. Morris agreed with Cmr. Fudge. Cmr. Saunders spoke about
36 the use of "should" and "shall" in the current draft language. Cmr. Larson suggested a discussion separating
37 a typical application using the design review board and that using a development agreement.

38
39 *Design Review Board Discussion*

40 Cmr. Larson suggested that the board be made up of five residents of LFP, and that the language of the draft
41 regulations be revised to reflect that change. Cmr. Lebo supported the change. A discussion occurred about
42 the public comments surrounding this issue and how the previous review board was used. Cmr. Morris
43 talked about what the previous design review board's function was and how it related to the City Council's
44 role in a development application. Ms. Pratt said that the draft regulations mirror what occurs with most
45 complex development applications. Cmr. Larson asked about how an application is decided upon through a
46 hearing examiner process. Cmr. Fudge recommended that a motion be filed on the issue. Cmr. Gross
47 moved to amend language on page one, line 16 through 18 to read "five persons who reside in the City", and
48 eliminate the lines 17- and a portion of line 18, and retain the last portion of line 18 and the entire line 19.

1 Cmr. Saunders seconded. Cmr. Lebo moved to amend the motion, but then withdrew the suggested
2 amendment. A vote occurred. The motion passed 7-0.

3
4 A discussion occurred regarding including a member of the City Council on the design review board. Ms.
5 Pratt offered her suggestions. She suggested using the word "shall" if the Commission would like it to be a
6 requirement. Cmr. Katz asked if a Council representative on boards and commissions is a codified
7 regulation. Ms. Pratt said that the design review board would be a public meeting with public input. Cmr.
8 Saunders suggested adding language about appointing a Council liaison to the design review board. Cmr.
9 Morris agreed. Cmr. Lebo said that the Council will get involved if they feel the need. All agreed to move on
10 to the next topic.

11
12 Cmr. Saunders asked Ms. Pratt if conflict of interest language should be added. Ms. Pratt said that language
13 exists within the draft ordinance to assist with those conflicts. Cmr. Larson asked if the Planning Department
14 Director and design review board would have access to consultants to assist in a recommendation. Ms. Pratt
15 talked about how the department uses consultants to supplement knowledge that is not available. Cmr.
16 Fudge said he likes the amendments. He asked when the design review board applies, and for which type of
17 applications. He suggested a threshold for which the board would participate. He also said that he wants to
18 be sure that the public knows when a development agreement is required and when an applicant will work
19 with the design review board. Cmr. Lebo said that page four speaks to where the design review board applies
20 and that a development agreement is voluntary.

21
22 Cmr. Larson said that we may not get to the development agreement section during this meeting. Cmr. Katz
23 suggested finalizing the design review board portion soon. Cmr. Larson said that currently, the only formal
24 recommendation from the Commission to the Council is on the parking structure draft regulations.

25
26 Cmr. Larson asked Ms. Pratt about the timing of the garage code adoption relative to the moratorium. Ms.
27 Pratt said that she did not know about the timing of the moratorium legislation.

28
29 Cmr. Lebo asked the Commission to consider when the design review board governs projects within the
30 town center and said that the design review board may want to rule on exterior changes to town center
31 buildings. Administrator Hill suggested that interior tenant improvements of any kind or size be exempt from
32 the design review process.

33
34 Cmr. Larson asked for all to review the amendments to the language made so far, and be prepared to discuss
35 them at the next meeting.

36
37 **New Business**

38 None.

39
40 **Reports and Announcements**

41 None from staff.

42
43 **Public Comment**

44 Mike Dee:

45 He thanked the Planning Commission for going through the code draft. He said that there should be an
46 appeal for the design review board. He said that in 2014 the City came up with a volunteer commission
47 manual which talked about conflict of interest and appearance of fairness.

48
49 **Agenda for Next Meeting:**

50 Similar to this.

1 Adjournment: Cmr. Morris motioned to adjourn the meeting, Cmr. Katz seconded, all voted in favor and the
2 meeting adjourned at 9:02 pm

3 APPROVED:



4
5
6 Joel Paisner, Vice Chair