

City of Lake Forest Park - Planning Commission
Meeting Minutes: May 14, 2019
17425 Ballinger Way NE—EOC Room

Planning Commissioners present: Chair Joel Paisner, Vice Chair Maddy Larson, Richard Saunders, Ira Gross, Steve Morris, Jon Lebo, Rachael Katz, Mark Withers

Staff and others present: Steve Bennett, Planning Director; Lauren Hoerr, Assistant Planner; Mandi Roberts, Otak Consultants; Tom French, Councilmember

Members of the Public: Mike Dee; Julian Andersen, Lori Bodi, Shilvock Barton

Planning Commissioners absent: T.J. Fudge

Call to order: 7:00 PM

Approval of Agenda:

Mr. Lebo moved to approve the agenda as presented. Mr. Gross seconded the motion and it passed unanimously.

Public Comments:

Lori Bodi: Ms. Bodi said she was speaking on behalf of herself and neighbors in Sheridan Beach, Sheridan Heights, and Brookside Blvd. The Planning Commission (PC) has an independent role as recognized by State law and she appreciates the work PC has done. She said there needs to be a clear distinction between baseline requirements, related to required project-level mitigation actions, versus additional things developers can do for bonuses/amenities. She suggested a 3-over-1 baseline of 150 units, distinguished from the bonus, which is discretionary by the City, usually thought of as amenities. She said it was clear at the Committee of the Whole (CoW) meeting that, even with the bonus incentives, the 4-over-1 with 700 units or less as maximum is what was being discussed. She said she does not want to see internal setbacks reduced or counted as part of open space, noting that she thought Council generally agreed that open space shouldn't include patios and setbacks. She said that creating contiguous open space and preserving community amenities like Third Place Commons is important. She said the stream setback regulations in current code are still valuable. She said that housing affordability need not all be taken care of at Town Center and subsequent discussion about ADUs is important. She concluded by saying that adequate parking to support small businesses should be balanced with residential and commercial parking.

Mike Dee: Mr. Dee thanked the PC for having public comments at the beginning and end. He noted that the number of meetings moving forward is great, but the scope seems to be changing at each meeting. The FEIS has passed its 60-day window and encouraged the PC to extend the decision making process.

Approval of Minutes:

April 9th

42 Cmr. Gross noted that page 1, line 19 should include "lead" instead of "led". Cmr. Larson moved to
43 approve the minutes as amended. Cmr. Saunders seconded and the motion passed unanimously.

Meeting Dates:

46 The next two meetings are scheduled for May 21st (joint Council Committee of the Whole meeting)
47 and June 11th. Chair Paisner, Cmr. Withers, Cmr. Saunders will not be able to make the 21st. Mr.
48 Bennett clarified the CoW meeting would not need a quorum from the PC and that it would start at

1 7:15pm. He said there will likely be a second June meeting on the 25th as well as meetings on the 2nd
2 and 4th Tuesdays in July. Ms. Roberts said the goal is to complete both the EIS and the code update
3 process by the end of July.

4
5 Chair Paisner asked why that schedule was necessary. Ms. Roberts responded that it would be
6 helpful for the update process to be complete prior to Sound Transit starting its EIS process. There
7 is also some urgency to complete the FEIS since the 60-day window has passed. Ms. Roberts said
8 there may be two open houses, one with the draft sub-area plan and another when the design
9 standards and code changes are ready. A public hearing is also required for adoption.

10
11 Cmr. Larson suggested developing a Gant Chart because it is frustrating to not have a clear schedule
12 with work tasks and goals. Ms. Roberts indicated that draft agendas have been developed and she
13 would support making those available to the PC. Chair Paisner said that, for the PC to do a good
14 job, we need to know the timeline and expectations. Mr. Bennett responded that there are three
15 documents in the works: a preferred alternative, a sub area plan, and a set code amendments. He
16 understands the frustration of not having those documents before the PC right now for review and
17 feedback. Cmr. Larson said she wanted to move past being an editorial board and truly be an
18 independent body, noting that the PC's role seems to be more of a courtesy to review of documents
19 rather than having time to truly reflect on them. Cmr. Saunders said if the PC does not have a
20 feeling of confidence, then the public will also not have that feeling. Mr. Bennett responded that the
21 ultimate goal is to have the PC send a recommended set of code amendments to the Council, noting
22 that no one can force the PC to make a recommendation. Once the Commission has gotten back
23 into the review of the update, it will be easier to make a legitimate claim if more time is needed.

24
25 **Old Business:**

26 Implementation of Town Center Vision

27 *Review/Discuss Open Space Criteria (Follow-Up from April 23, 2019)*

28
29 In following up on last discussion regarding researching what other municipalities are doing, Ms.
30 Roberts introduced a two-page memo and discussed each item. She explained that the definition of
31 usable public open space has not generally been defined. One idea that has been discussed is to have
32 a requirement for part of the open space to be contiguous. The Council discussed creating use
33 districts within the Town Center, such as residential, civic, and commercial. Each use district could
34 have specific open space designations. Current code incentivizes mixed-use development, but use
35 districts would allow more control over where mixed-use takes place. Proposed private open space
36 provisions are based on the idea that private open space should not be counted in public space
37 totals, but it is an important requirement to allow residents to interact in outdoor spaces. This is
38 where the 60 sf/unit comes from, which is a typical metric from Bothell and other municipalities.

39
40 Ms. Roberts said non-residential or employee open space is less well-researched. Seattle's Urban
41 Village standards define usable open space for employees and promotes the concept of 'breathing
42 room' open space. Cmr. Saunders clarified that there are non-residential uses as well as private
43 residential uses and public open space standards. Cmr. Katz worried that by just meeting the
44 residential use open space and the public space, it is still a lot of space and it may be difficult for
45 developers to add much more. Chair Paisner wondered about the possibility of a fee-in-lieu option
46 for non-residential open space requirements.

1 In terms of what other municipalities allow for impervious surfaces, Ms. Roberts said it spans from
2 75% to 95%. She said it would be reasonable to encourage more landscaped and LID areas by
3 leaning more towards 75%. Cmr. Withers asked about where drainage is goes currently. Ms. Roberts
4 responded that it predominantly moves through an antiquated system and goes into the lake. Mr.
5 Bennett added that any redevelopment would trigger compliance with current code, the adopted
6 2016 King County Stormwater Manual.

7
8 Cmr. Saunders asked what happens if a new ordinance is adopted but no residential or less
9 commercial is built than anticipated. Ms. Roberts responded that open space requirements could be
10 triggered by any redevelopment permit, regardless of proposed use. Ms. Roberts showed aerial
11 images of Overlake Village and Bel-Red's open space, where they specified potential open space
12 locations. Cmr. Katz asked if the FEIS preferred alternative could be portrayed with this type of
13 map. Ms. Roberts responded that it can be shown in a map with desired characteristics and explain
14 how redevelopment would trigger the creation of openspace. Cmr. Lebo suggested including
15 commercial open space in addition to residential open spaces in terms of how development will
16 occur and noted that hardscape open space can act as year-round gathering spaces. Cmr. Katz
17 highlighted the Kenmore Hangar as an example of successful hardscape open space.

18
19 Cmr. Saunders asked to discuss interior open space in terms of preserving Third Place Commons,
20 noting it seems to be at the property owner's whim and that the City has limited funding for the
21 space. Ms. Roberts said current code requires the provision of 10,000 flexible interior contiguous
22 open space. Cmr. Lebo said we should be very specific about preserving it since it is a key piece of
23 the character of Lake Forest Park. Chair Paisner said the current code requirement makes sense and
24 we should keep it.

25
26 Cmr. Katz asked if the maximum 700 units could fit in existing free space without redeveloping the
27 commercial space. Ms. Roberts responded that, with the decreased height limit, some commercial
28 space would need to redevelop.

29
30 Chair Paisner noted it was 8:00 and asked for clarification on the goal of the open space discussion.
31 Councilmember French said that the preferred alternative should be the focus, so that during next
32 week's joint meeting there is an opportunity to communicate what the Commission does and
33 doesn't support. Cmr. Katz said that with all the different elements of the preferred alternative, one
34 of these being open space, we want to make sure we can provide meaningful feedback.

35
36 Chair Paisner asked if there was agreement on including the 10,000 interior public open space
37 provision. There was general agreement and it was noted that it should be centrally-located. Chair
38 Paisner asked if everyone agreed on tying open space standards to use districts. Cmr. Lebo suggested
39 tying it to use rather than locations. Cmr. Katz said she was okay with it as long as the preferred
40 alternative has a graphic showing preferences for contiguous space and minimum size and
41 dimensional requirements using reasonable ratios. Other Commissioners agreed. Cmr. Morris
42 suggested that it may be simpler to use a percentage of developed space. Cmr. Larson said open
43 space should be required with any phase of redevelopment. Cmr. Saunders asked if a minimum
44 amount had been established and Chair Paisner responded that 150 sf/unit had been established as
45 the recommended amount. Ms. Roberts said using a place-based approach with an overall total size
46 requirement, such as 2 acres, might be the simplest approach. Cmr. Withers asked if there is a
47 minimum size public space for the site overall. Ms. Roberts said that would have to be looked at

1 separately in terms of triggers. Cmr. Katz asked if there was agreement on the 60 sf/unit for private
2 open space and various Commissioners responded that they agreed with that amount.
3

4 *Review/Discuss City Council Working Document on FEIS Preferred Alternative - number of total residential units*
5 Ms. Roberts explained Table 2.2, which looks at the use district idea of the site, with residential
6 focus to the north, civic to the east, and commercial towards the south. She showed a presentation
7 with different sizes and shapes of residential and commercial buildings to demonstrate what could
8 go where on the site. Councilmember French talked about how the neighborhood business zoning
9 allows for low-traffic type of businesses and that these types of businesses would fit well in mixed-
10 use areas. Cmr. Lebo said the code should have stipulations about keeping the presence of
11 commercial spaces but limiting the size of allowable commercial spaces. Cmr. Saunders suggested
12 that maximum and minimum commercial space limitations for each use district could be established.
13

14 *Height limitation –commercial and residential*

15 Ms. Roberts said CoW decided that the baseline could be the 3-over-1 (50-foot max with roof
16 articulation allowances) and that with incentives/bonus density/amenities, that 4-over-1 could only
17 be allowed in certain locations. Councilmember French confirmed that that was the general
18 consensus with some differences of opinions. Cmr. Larson asked, if plans were submitted today,
19 would mitigation be required. Mr. Bennett said any proposal above 200-300 units would likely
20 require a project-level EIS, which could require mitigation. If anything comes up that wasn't
21 anticipated in the FEIS, it will have to be addressed in project-level analysis. He also said that
22 projects discussed in Safe Streets and Safe Highways can be required for certain redevelopment.
23 Councilmember French added that the FEIS is for study purposes, but the City can avoid
24 unintended consequences because project-level analysis will still require studies. Cmr. Withers added
25 that project-level analysis requirements need to be in the code.
26

27 Chair Paisner noted only 25 minutes were left. Cmr. Lebo said that the 3-over-1 and 4-over-1
28 standards make sense and the maximum number of units is not as important as size standards. Cmr.
29 Morris said allowing some “apodment-type” units with various size definitions increases housing
30 affordability and accessibility. Chair Paisner asked if everyone agreed with 3-over-1 as baseline and
31 4-over-1 with incentives, and that the site would have use districts with amenities as to be defined.
32 Ms. Roberts clarified the use districts are more predominant guidelines rather than strict rules; the
33 districts would just have a use focus. No opposition was expressed.
34

35 In terms of commercial buildings' height limit, Ms. Roberts suggested 20 feet but asked if there was
36 interest in allowing a double-level commercial building or having different regulations for stand-
37 alone versus attached commercial buildings. Cmr. Lebo said he is fine with two-story commercial
38 buildings with a 35 feet max height. Ms. Roberts said current code allows 30 feet but the Ross sign is
39 40 feet and was grandfathered in. Cmr. Saunders said his concern would be around shading and
40 canyoning. Cmr. Katz said that a 35-foot height limit would allow for both architecturally-interesting
41 single-story and shorter two-story buildings.
42

43 In terms of parking structure height limit, Ms. Roberts said it will need to be at least 3 levels, but
44 depending on geotechnical issues, some could be below ground. Council said baseline could be 4
45 levels and a fifth level could be allowed through incentives. Cmr. Saunders asked if the height would
46 be in scale with what has been discussed. Ms. Roberts said if the parking garage could be converted
47 to a different use in the future, the floor-to-floor height would need to be 11 or so feet.
48 Councilmember French also clarified that it could be built by a number of different parties through

1 partnerships, so there are a lot of possible scenarios. Some of the spaces on a 4th level could be
2 police parking or civic parking and allow for more public open space. Ms. Roberts also clarified that
3 the top level is a parapet level not a full level. Cmr. Morris said maybe we want a large parking
4 garage so that it can free up more room for other uses elsewhere like open space. Councilmember
5 French suggested that the baseline should be 3 levels unless there is a public-private partnership so
6 that the City use its authority to get more public benefits. Chair Paisner summarized his
7 understanding of what Councilmember French had said: if Sound Transit builds the garage alone,
8 there would be more code-based design requirements, but if partners are involved, there could be more
9 flexibility built in to will allow for more public benefit.

10
11 Chair Paisner asked which of rows from table 2.2 were the most important to discuss prior to the
12 close of the meeting. Cmr. Withers said 700 units would add 1,000 people and this will mean more
13 cars. Cmr. Katz said it will be transit-oriented project so as to discourage cars. Cmr. Katz says 700 is
14 the lowest we've considered so it seems like a compromise has been reached based on the
15 community feedback. Cmr. Lebo said it seems the real concern is traffic. Chair Paisner asked for
16 confirmation that 700 units is a maximum to be evaluated under the preferred alternative. Ms.
17 Roberts confirmed that it was and said that current code does not have a density maximum so it
18 would need to be added. Mr. Bennett suggested that setting a unit limit as a way to control impacts
19 may have unintended consequences since a proposed project could include 700 three-bedroom
20 units, which would add a lot more people than 700 one-bedroom or studio units. Cmr. Lebo said
21 that he thought the goal was to encourage transit-oriented development.

22
23 Cmr. Saunders clarified that we are not looking at the code yet. Chair Paisner said Council has said
24 700 units, but the Commission can recommend regulating by requiring a variety of unit sizes or
25 limiting the size of the building envelope allowed. There was discussion on using limitations around
26 size/setbacks versus having a density maximum. Ms. Roberts noted the FEIS will show
27 representative/conceptual forms around the No Action and Preferred Alternative. Ms. Roberts said
28 that the CoW also discussed phasing the development of units. There was a discussion among
29 Commissioners about whether 700 units should be studied and the level of community support for
30 it. Ms. Roberts said allowing density in Town Center can help protect surrounding, well-forested
31 single-family neighborhoods while providing housing affordability. There was general agreement
32 that housing affordability will be important to study in the FEIS. In terms of commercial density,
33 Commissioners discussed gross square footage (GSF) limits. There was support for the idea of
34 allowing something similar to size of Albertsons as a maximum.

35
36 In terms of setbacks and edge conditions, Ms. Roberts compared graphics for existing code setbacks
37 with graphics of one possibility for rearranged setbacks that would allow a higher setback from Lyon
38 Creek and the western property line while decreasing setbacks for the smaller parcels within Town
39 Center. She said we could also incentivize increasing setbacks in the code update by tying them to a
40 density bonus. She noted that another community concern is protecting trees along Ballinger Way
41 NE which are in the public right-of-way. Mr. Bennett said the City has some authority in terms of
42 protecting what is in the right-of-way.

43
44 *Incentives for Development*

45 Ms. Roberts noted that the Burien code has a table of public benefit features as incentives for
46 development. There was agreement that the rest of Table 2.2 was more code-level discussion. She
47 added that the CoW wanted the PC to consider canopy coverage percentage requirements for the
48 Town Center – should more than 15% coverage be required.

1
2 There was discussion about parking and the feel of streets. Cmr. Lebo mentioned the Dutch
3 woonerf concept where there is no grade separation between sidewalk and streets. Some
4 Commissioners noted that the 1.5 spaces/unit analysis seemed high.

5
6 Ms. Roberts said she would add Commissioners' comments to the table in a different color, noting
7 that the Sub-Area Plan is a policy document that should carry forward ideas from the Vision with
8 some amendments. The draft goals and policy outline of the Sub-Area Plan should be done by June
9 11th. The second June meeting should focus on code amendments and design standards.

10 Councilmember French reviewed a draft outline of timeline for the FEIS, code amendments, and
11 sub-area plans.

12
13 Ms. Roberts said that the FEIS is a document that will be publically available, but there will not be
14 any public hearings related to the FEIS. There will be an open house to go over the sub-area plan,
15 code amendments, and design standards. There will also be a public hearing required for formal
16 adoption.

17
18 **New Business:** No new business.

19 **Reports and Announcements:** None.

20 **Agenda for Next Meeting:** Similar to this agenda.

21
22 **Public Comments**

23 Lori Bodi: Ms. Bodi said she was concerned about SEPA compliance with projects from one to 700
24 units and asked if anyone has considered impacts of less than 700 units. She said the EIS should
25 clarify if additional analysis is required for SEPA, traffic, and mitigation because this may help the
26 City avoid future litigation.

27
28 Julian Andersen: Mr. Andersen said a riparian zone protecting Lyon Creek should be included in the
29 concept of use districts. He proposed having no through traffic routes and liked the simplicity of a
30 percentage formula for open space even if there are more details internally.

31
32 Mike Dee: Mr. Dee said that the website shows the latest minutes as from January and noted the
33 annual report is due. He said the City supports Third Place Commons with \$54,000 from the last
34 budget cycle and \$57,000 for this budget cycle. He recommended that the City purchase a
35 beachfront property.

36
37 Richard Saunders: Mr. Saunders noted that he appreciated the public comments.

38
39 Cmr. Gross moved to adjourn. Cmr. Katz seconded the motion and it was unanimously approved.

40 **Adjournment:** 10:00 PM

41 APPROVED:
42

43 _____
Joel Paisner, Chair