

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; T.J. Fudge; Jon Lebo; Ira Gross; Rachael Katz; Steve Morris

Staff and others present: Mayor Jeff Johnson; Lori Bodi, Councilmember; Phillipa 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 thanked the Commission for scheduling its meeting to not conflict with the parks and recreation meeting, and also thanked staff for the updated agenda packet. He suggested having public comment before any vote of the Commission.

Julian Anderson thanked the Commission for all of the accomplishments at the last meeting. He encouraged the Commission not to forward the administrative section until it has had 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 thanked the Commissioners 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 thanked the Commission and said that he supports their recommendation to the City Council to extend the moratorium. He said that he supports requiring a traffic study and mitigation plan for town center. He said he is cautious about bonuses and asked 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 it was noted that a memorandum from the Chair summarizing the motions made at the 2-19-20 meeting was available.

Next Meeting: March 10, 2020 is the next regularly scheduled meeting.

Report from City Council Liaison:

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

1 Cmr. Saunders asked Councilmember French to share the Council's general feelings about the moratorium
2 extension. Councilmember French responded that the Commission's motion was very well received, but that
3 he cannot speak for the rest of the Council. He said he can only speak for himself, but that a Council retreat
4 is occurring this weekend. Vice Chair Larson asked if the moratorium considers all of town center or just the
5 parking garage. Councilmember French said that they are considering a moratorium for the entire town
6 center but that he does not know for sure what will occur on Thursday.

7

8 **Old Business:**

9 ◦ Implementation of Town Center Vision
10 ◦ Discussion of freestanding parking structure design guidelines

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

26
27 Cmr. Fudge commented on the word 'penthouse' on page eight and asked if there is another word that could
28 be used. Cmr. Katz explained that it deals with areas to locate mechanical equipment. It was suggested that
29 the term be changed to 'mechanical enclosures.' Cmr. Fudge said that he researched the term 'solar ready' and
30 that he would like to be specific about what the term means although he did not have a recommendation for
31 what terms to use. Cmr. Saunders said that the Council could explore the term and issue further. Cmr.
32 Saunders said that he had a question on line 3 from page eight. He asked if the "not to exceed square
33 footage" language was in conflict with other portions of the code. Cmr. Fudge responded that one section
34 refers to a store and the other describes the parking garage footprint. Cmr. Saunders said that line 36
35 references the term facades and asked Ms. Pratt about how to apply the word 'façade.' Administrator Hill
36 responded and said it typically refers to each side of a building. Cmr. Fudge said sections within page eight
37 referring to pedestrian facilities may be in conflict with provisions on page 12. Administrator Hill clarified
38 that sidewalks around the parking garage would have a defined width and those in other areas could have
39 variable widths.

40
41 Cmr. Fudge suggested that weather protection be added to areas where sidewalks and pedestrian access will
42 be available and be eliminated in areas where bicycles and vehicles enter and exit. Cmrs. Katz and Morris said
43 they agreed with Cmr. Fudge. Ms. Pratt asked for confirmation that the Commission wanted to eliminate
44 section (C) on page eight, and add a weather protection requirement in section (J) (2) (b) and all
45 Commissioners agreed.

46
47 Vice Chair Larson suggested amending page eight, line five so that the "and" is replaced by "or." There was
48 discussion about whether the "and" would remain. Ms. Pratt suggested modifying the sentence to incorporate
49 'neither' and 'nor' and Commissioners agreed to amend it as recommended by Ms. Pratt.

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1 Cmr. Fudge talked about the table on page nine and said that the information from Boise may not be the
2 dimensions we want to use in LFP. He suggested leaving it to Sound Transit to decide appropriate parking
3 stall dimensions. Cmr. Katz suggested letting the Council handle the dimensional requirements. A discussion
4 on the parking stall dimensions ensued. Vice Chair Larson asked if there is a possibility to require the roof of
5 the garage to be flat. Cmr. Gross responded that a 2% slope is not significant.

6
7 Cmr. Fudge referred to page 10, section (G) (2) and said the language regarding parking studies should be
8 eliminated. He suggested that any parking displaced as a result of the project should be replaced in kind. After
9 some discussion, Vice Chair Larson said that section is new and had not been discussed. Vice Chair Larson
10 moved to strike that section from the draft, Cmr. Morris seconded, and the motion passed unanimously, 6-0
11 (Lebo abstained).

12
13 Cmr. Fudge asked for a comma to be added on page 11, line two. All were in agreement. Cmr. Fudge asked
14 about long-term bike parking and storage and how they would accommodate different bike types. Cmr.
15 Morris suggested that the parking equipment should accommodate all types of bikes. Cmr. Gross agreed with
16 adding some clarity. There was discussion on the type of equipment used for bicycle storage and whether
17 roof top bike parking should occur. Vice Chair Larson suggested having the bike parking solely on the
18 ground floor. Commissioners discussed where to accommodate bicycle storage and with what type of
19 equipment to use for that purpose. Cmr. Fudge explained his understanding of long and short term bike
20 parking in the context of the parking garage. Cmr. Gross said he was in favor of having short term storage on
21 the ground floor. It was decided by all that non-standard bicycle storage should be accommodated on the
22 ground floor. Vice Chair Larson summarized her understanding of the location of bicycle parking facilities
23 which is to include providing bicycle parking on all floors except for facilities used for oversized bikes, which
24 will be located on the ground floor. She asked for any other changes on page 11. Cmr. Fudge suggested
25 striking the last sentence of section three (C) (line 29 and 30 on page 11)- regarding elevator capacity for
26 bicycles. Cmr. Fudge suggested that short term bicycle parking should be located in an area that is most
27 visible to the public, and suggested adding that to section (3) (B). All agreed.

28
29 Discussion occurred regarding where to place bicycle maintenance stations and the issue of the word
30 “penthouse” again came up. Administrator Hill suggested using the same language for “penthouse” as
31 decided upon before, and the Commissioners agreed to replace that word with language decided upon for
32 page eight. Vice Chair Larson suggested adding language reading, “at least one bicycle repair station must be
33 provided for long-term bicycle parking.” All Commissioners agreed.

34
35 Vice Chair Larson asked if there were any edits on page 13. None were suggested and she moved on to page
36 14.

37
38 Vice Chair Larson suggested that, on page 14, section (M) - Public Benefits, language related to façade
39 protrusion beyond City Hall in line 21 be amended so that it would read: “use of bonus height shall be a
40 major town center design review project....” She asked if all agreed and all Commissioners concurred. Cmr.
41 Fudge had a question on page 13, section (M) (1) (a). He asked if there was flexibility on where the façade
42 space can be located with a minimum depth of 60 feet and how a corner space would be measured. Cmr.
43 Morris suggested leaving the section as drafted. A discussion occurred regarding the 60-foot requirement.
44 Vice Chair Larson said she was okay with the way the section as drafted as long as one measurement is 60
45 feet. Cmr. Fudge talked about the minimum amount of tenant space square footage within the garage being
46 10,000 square feet. He asked the Commission to consider 9,000 square feet for a minimum. Cmr. Katz said
47 she is comfortable with the drafted square footage and Vice Chair Larson said she agreed. Vice Chair Larson
48 added that a bonus opportunity is also available. A discussion occurred regarding the minimum amount of
49 commercial square footage and how a development agreement could facilitate the construction of the parking
50 garage. Vice Chair Larson suggested leaving the language as drafted. Vice Chair Larson said she was confused
51 about the language on line 28-31 (page 14). Administrator Hill explained his understanding of the different

1 types of public benefits that would be required for the community space. Cmr. Katz also provided her
2 understanding. Vice Chair Larson said she would like to see more variety in the requirements.

3
4 A discussion ensued regarding the in lieu fee provisions and Cmr. Katz said that Council should decide the
5 structure of this section. Vice Chair Larson said that the Commission does not have time to evaluate how the
6 in lieu option would work. Cmr. Saunders noted that the in lieu option requires a the use of a development
7 agreement process. Vice Chair Larson said that the in lieu fee program is a staff recommendation and not one
8 that came from the Commission. Cmr. Morris suggested leaving the language as drafted.

9
10 Cmr. Gross made a motion to forward the draft section of LFPMC 18.42.090 as amended through this
11 meeting to the City Council for consideration. Cmr. Morris seconded. Cmr. Fudge suggested that the changes
12 the Commission made tonight should be incorporated into a draft before they forward it to the Council. Ms.
13 Pratt suggested that another review was not necessary. Cmr. Katz agreed and so did Cmr. Morris. Cmr.
14 Saunders agreed with Cmr. Fudge, but given the timing he is in favor of sending the draft immediately. Vice
15 Chair Larson called for the vote and the motion passed 5-1 (Lebo abstained).

16
17 Final review of administration (design review) and development agreement provisions:

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

36
37 *Design Review Board Discussion:*

38 Vice Chair Larson suggested that the board be made up of five residents of LFP and that the language of the
39 draft regulations be revised to reflect that change. Cmr. Lebo supported the change. There was discussion
40 about public comments surrounding this issue and how the previous review board was set up. Cmr. Morris
41 talked about what the previous design review board's function was and how it related to the City Council's
42 role in a development application. Ms. Pratt said that the draft regulations mirror what occurs with most
43 complex development applications. Vice Chair Larson asked about how an application was decided upon
44 through a hearing examiner process. Cmr. Fudge suggested that a motion be made on the issue. Cmr. Gross
45 moved to amend language on page one, line 16 through 18 to read "five persons who reside in the City",
46 eliminate lines 17 and a portion of line 18, and retain the last portion of line 18 and the entire line 19. Cmr.
47 Saunders seconded. Cmr. Lebo moved to amend the motion, but then withdrew the suggested amendment.
48 Vice Chair Larson called for the vote and the motion passed 7-0.

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1 A discussion occurred regarding including a member of the City Council on the design review board. Ms.
2 Pratt suggested using the word “shall” if the Commission would like it to be a requirement. Cmr. Katz asked
3 if having a Council representative on boards and commissions is a codified regulation. Ms. Pratt said that the
4 design review board meeting would be a public meeting with public input. Cmr. Saunders suggested adding
5 language about appointing a Council liaison to the design review board. Cmr. Morris agreed. Cmr. Lebo said
6 that the Council will get involved if they feel the need. There was agreement to move on to the next topic.

7
8 Cmr. Saunders asked Ms. Pratt if conflict of interest language should be added. Ms. Pratt said that language
9 exists within the draft ordinance to assist with those conflicts. Vice Chair Larson asked if the Planning
10 Department Director and design review board would have access to consultants to assist in a
11 recommendation. Ms. Pratt talked about how the department uses consultants to supplement expertise that is
12 not available on staff. Cmr. Fudge said he likes the amendments and asked when the design review board is
13 engaged and for which type of applications. He suggested a threshold for which the board would participate.
14 He also said that he wants to be sure that the public knows when a development agreement is required and
15 when an applicant will work with the design review board. Cmr. Lebo said that page four speaks to where the
16 design review board applies and that a development agreement is voluntary.

17
18 Vice Chair Larson said that we may not get to the development agreement section during this meeting. Cmr.
19 Katz suggested finalizing the design review board portion soon. Vice Chair Larson said that, currently the
20 only formal recommendation from the Commission to the Council is on the parking structure draft
21 regulations.

22
23 Vice Chair Larson asked Ms. Pratt about the timing of the garage code adoption relative to the moratorium.
24 Ms. Pratt said that she did not know about the timing of the moratorium legislation.

25
26 Cmr. Lebo asked the Commission to consider when the design review board governs projects within the
27 town center and said that the design review board may want to rule on exterior changes to town center
28 buildings. Administrator Hill suggested that interior tenant improvements of any kind or size be exempt from
29 the design review process.

30
31 Vice Chair Larson asked for all to review the amendments to the language made so far, and be prepared to
32 discuss them at the next meeting.

33
34 **New Business:** None

35
36 **Reports and Announcements:** None

37
38 **Public Comment:**
39 Mike Dee thanked the Planning Commission for going through the code draft. He said that there should be
40 an appeal for the design review board. He said that in 2014 the City came up with a volunteer commission
41 manual which talked about conflict of interest and appearance of fairness.

42
43 **Agenda for Next Meeting:** Similar to this meeting

44
45 **Adjournment:**
46 Cmr. Morris moved to adjourn the meeting, Cmr. Katz seconded, all voted in favor and the meeting
47 adjourned at 9:02 pm.

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49 APPROVED:

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Joel Paisner, Vice Chair

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