

City of Lake Forest Park - Planning Commission
Regular Meeting Minutes: October 27, 2020
Virtual/Zoom Meeting

Planning Commissioners present: Chair Maddy Larson, Vice Chair Rachael Katz, Steve Morris, Ira Gross, Jon Lebo, Richard Saunders, Joel Paisner, T.J. Fudge

Staff and others present: Steve Bennett, Planning Director; Nick Holland, Senior Planner, Deputy Mayor Philippa Kassover, City Attorney Kim Adams-Pratt

Members of the Public: Don Fiene, Mike Dee, Councilmember Lorri Boden

Planning Commissioners absent: n/a

Call to order: Chair Larson called the meeting to order at 7:01PM

Approval of Agenda:

Mr. Gross made a motion to accept the agenda, and Mr. Lebo seconded the motion. Chair Larson asked for any discussion. There was none. The agenda was approved unanimously.

Meeting Dates:

The next regular meeting is scheduled for November 10, 2020.

Citizen Comments:

State

Report from City Council Liaison

Deputy Mayor Kassover provided an update and said the Council had a Committee of the Whole (COW) meeting and talked about the Sound Transit parking garage. She said they discussed the civic space as a portion of the garage and that a designer attended the meeting and illustrated the look of the garage under a few different design options. She said that the Council understood that the civic space size was to be roughly the same as the current Third Place Commons. She said that the Council discussed taking the role as an appellant body in the decision making process for development project entitlements within the Town Center.

Deputy Mayor Kassover added that she attended a meeting on affordable housing and that she is hoping that the Commission has input on affordable housing. She went on to say that she attended a webinar for the recycling program of British Columbia and that she took a virtual tour of a recycling facility. One of the challenges for that program is having less recycling within multi-family housing. She said that the spaces for recycling should be well designed and be of the appropriate size to facilitate ease in recycling for multi-family projects. She then asked if any Commissioners had questions.

Cmr. Morris asked how to write code for an adequate recycling program. Deputy Mayor Kassover responded and referenced a model code in King County that could be used as an example. Cmr. Paisner asked about the discussion the Council had on the civic space and indicated that the Commission had discussion on the issue and he said that he wanted the Commission's recommendation to include something on that topic. Cmr. Fudge said that the civic space size was determined by the frontage of the area occupied by a parking garage. He said that relating the civic component of the garage to the commons may indicate that the commons could be replaced at some point and he warned about that idea being circulated. Deputy Mayor Kassover said that the King County Library District might be a possible partner for the space.

1 Chair Larson said that she was pleased with design scenarios the Council had reviewed. She asked if the City
2 were the operator of the civic space, it may not have the same access as the commons. Deputy Mayor
3 Kassover responded that Sound Transit will be the owner of the site and it is too early to determine the
4 function of the civic space.

5

6 **Old Business**

7 • Implementation of Town Center Vision - Review of draft amendments to Commission's 4/14/20
8 recommended Town Center Code updates addressing request from Deputy Mayor and Council Vice
9 Chair

10 Chair Larson went over all of the options from last meeting that were voted on by the Commissioners and
11 reminded them that they voted to go with the second option. She said a version of the text was sent to the
12 Commissioners and asked if a discussion should occur. Cmr. Paisner asked for a summary by the Planning
13 Director of the proposed amendments associated with the second option.

14 Deputy Mayor Kassover indicated she had one additional item to report and said that citizens came to talk at
15 the budget meeting and the topic of climate change came up and the Council will become more intentional
16 with regard to climate change policy. She said that regulations with regard to stewardship will be a focus of
17 the Council.

18 Director Bennett reviewed all of the proposed text changes and indicated that he and City Attorney Kim
19 Adams-Pratt were the authors of the document. Cmr. Saunders asked about some of the redlined changes
20 and noted that they weren't in the updates that the Commission made. Director Bennett clarified that the
21 changes being presented were new. Director Bennett described the limitations on use section and said that it
22 brings back the existing limitation on residential density. He presented the next section on page 10, which
23 was a note that the previous section on limitations on use would regulate the footprint maximum provision.
24 Chair Larson asked for clarification and City Attorney Pratt explained the intent of the proposed change.
25 Director Bennett explained the next comment on page 18, which created an exception in the general parking
26 regulations for the parking structure regulations.

27 Director Bennett provided an explanation of the proposed changes to the site plan criteria section (.130) as
28 well as the procedural components. There was discussion about how the site planning criteria would be used
29 in the minor and major permit application review. Chair Larson asked if the comments associated with the
30 site planning criteria should be discussed by the Commission. Director Bennett said that they were intended
31 to bring to Council and Commission attention possible issues with retaining the criteria as written. Chair
32 Larson asked about sections .120 and .130 and, if an application was filed, what would the procedure be and
33 if the town center framework would apply. Director Bennett responded that, under the Commission's
34 recommended code changes, the framework and the site planning criteria would both apply. Director
35 Bennett directed the Commission's attention to the change in section .140 and indicated that the framework
36 design guidelines would apply to all development in town center. Cmr. Saunders asked about the status of the
37 2020 version of the town center framework design guidelines. Director Bennett said a reformatted document
38 with some minor changes to open space and height could be adopted as a 2020 version to supplement the
39 design guidelines previously recommended by the Commission.

40 City Attorney Pratt explained the reasons for recommending the deletion of the design departure provisions
41 on page 24. She said that the development agreement public process, which was previously recommended by
42 the Commissioners, alleviates the need for this section. Cmr. Fudge asked about the "may" and "shall" "enter
43 into a development agreement" language and City Attorney Pratt said that Council will have to be determine
44 when the development agreement is applicable. Cmr. Fudge said that this issue is of paramount importance
45 to him. He suggested having the development agreement trigger as a function of density and anything over
46 the base density of town center would trigger a development agreement. Cmr. Lebo suggested any major
47 permit as the trigger for a development agreement. Discussion continued on the topic of development

1 agreements. City Attorney Pratt said that development agreements are optional, so the code has to provide
2 standards that can be met without a development agreement. Cmr. Katz noted that this discussion is out of
3 the scope of the Commissioners review. City Attorney Pratt said that, as currently proposed, anything over
4 the base density of town center would trigger a development agreement. Cmr. Fudge asked where in the
5 code will it indicate when a development agreement will be required. City Attorney Pratt said that it could be
6 in the section with density, but that the code doesn't necessarily have to specify when a development
7 agreement is required. Discussion continued on the topic of development agreements.
8

9 Director Bennett suggested discussing the proposed changes to section .040. Cmr. Morris said the section
10 reflects what the Commissioners discussed in previous meetings. Cmr. Paisner asked if the recommendation
11 will include a density limit. Director Bennett said that anything above seven units per acre or roughly 120
12 units would require a development agreement. Chair Larson summarized the direction of the Commission
13 with regard to the code amendments, which include changes to clear up inconsistencies in the last draft.
14 Director Bennett presented the reasoning behind the changes to the limitations on use section and said the
15 changes tie the procedure component to what has been previously recommended. He went on to present the
16 section on private open space and mixed use buildings. Director Bennett said that the new "C" section may
17 not be covered by the building code so it may be useful to retain. He suggested reviewing sections .120 and
18 .130 which redirects the criteria included to apply to all redevelopment in the Town Center. Cmr. Lebo said
19 he approved of the proposed edits. Cmr. Katz agreed. Cmr. Fudge asked if this section applies the
20 framework to all developments in town center. He asked if any new limitations are created by the proposed
21 amendments. City Attorney Pratt explained the reasons behind the proposed amendments, which are largely
22 procedural and do not deal with the framework. Director Bennett said that this section supplements the
23 framework and clarifies the requirements of the framework. Cmr. Gross said he approved of the
24 amendments.
25

26 Director Bennett returned to the amendments for section .180 design departure. He asked for input and
27 thoughts. Cmr. Lebo asked why it should be deleted and what the effect of that elimination would be.
28 Director Bennett clarified how the section changed and said that it was mainly procedural. The
29 Commissioners said that they agree with the proposed changes. Discussion occurred on which attachment
30 represented which portion of the review and recommendation process to date. Chair Larson asked about the
31 history of the proposed changes to section .180 and City Attorney Pratt and Director Bennett explained the
32 motivation behind the suggested amendment. Chair Larson asked the Commissioners their opinion and the
33 Commissioners indicated that they approved of the amendment.
34

35 Director Bennett suggested talking about open space. The Commissioners indicated that they prefer to leave
36 landscaping as currently drafted. Cmr. Lebo suggested leaving section .040 as drafted, and all of the
37 Commissioners agreed. Director Bennett suggested a minor revision to parking and indicated that it should
38 exclude the section for the garage, and all of the Commissioners agreed. Director Bennett suggested
39 including some language from the southern gateway design guidelines for landscaping and asked what the
40 interest from the Commission would be on that particular suggestion. Cmr. Lebo suggested leaving the
41 sections as drafted, and all of the Commissioners agreed. Director Bennett inquired about the height
42 discrepancy and described what the framework intended. Cmr. Lebo asked about potential inconsistencies
43 with the draft and the framework. Director Bennett explained the details for both and indicated the section
44 and framework have been tied together. Chair Larson suggested that the height provision was beyond what
45 the Commission was tasked with reviewing and suggested moving on. Cmr. Katz said that any height could
46 be negotiated through a development agreement, not just the limit described in the framework. Cmr. Morris
47 said that additional height may be a benefit to the City if it is done correctly. Cmr. Lebo agreed that height
48 beyond the base code could be accomplished via a development agreement and framework.
49

50 Director Bennett summarized the square footage options and requirements in the matrix for open space
51 within town center. He described the nature of the required open space and said that a portion would be set
52 aside for interior space. He summarized the process by which these requirements were recommended. Cmr.

1 Morris said that he would like as much open space as possible and favors the larger square footage. Cmr.
2 Lebo asked about the implications of the larger square footage mandate. Director Bennett said that the larger
3 requirement was favored by Council. All of the Commissioners agreed with the content of the matrix shown.
4

5 Chair Larson asked the Commissioners if they would be ready to review the changes made tonight in a
6 revised document to approve at the next meeting. All agreed. Cmr. Fudge said he is concerned with the
7 thresholds for the development agreement and thinks it is a major source of confusion with regard to when
8 the development agreement process can be used. He would like to review the language to ensure it aligns
9 with what the Commission wants. Chair Larson asked Cmr. Fudge to review attachment three of the meeting
10 materials and if confusion still results send an email to the staff with questions. Chair Larson summarized the
11 progress and indicated that staff will create a revised document for review.
12

13 **Native Land Acknowledgement**

14 Chair Larson suggested moving this topic to the next meeting, all agreed. Cmr. Painser asked if the tribes
15 have been consulted with regard to this. Chair Larson said that tribes are not typically consulted.
16

17 **Reports and Announcements**

18 None from staff.
19

20 **Additional Citizen Comments**

21 Don Fiene thanked the Commission for the time and energy spent on this topic.
22

23 **Agenda for Next Meeting:**

24 Similar to this meeting. Director Bennett summarized some future topics for the Commission to work on
25 beyond town center. Chair Larson asked how the Commission receives direction from the Council. Director
26 Bennett explained how the Commission typically receives direction and invited comment. Deputy Mayor
27 Kassover agreed with Director Bennett's statement. She asked if there are any updates the code through state
28 mandate. Director Bennett said that wireless regulations need updating. He said the shoreline master
29 program needs a recommendation from the Commission as well.
30

31 Deputy Mayor Kassover asked if affordable housing and the tax incentive provisions were included in the
32 Commission's recommendations, Chair Larson said they were not. Cmr. Morris said that a recommendation
33 and memo on these topics could be discussed or authored at the next meeting. Chair Larson said that she
34 would support discussion on the topic.
35

36
37 **Adjournment:** Cmr. Katz made a motion to adjourn the meeting, Cmr. Morris seconded and all agreed to
38 adjourn the meeting.
39

40
41 Adjournment at 9:06pm
42

43 APPROVED:
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46 _____
Maddy Larson, Chair