

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, TJ Fudge

**Staff and others present:** Steve Bennett, Planning Director; Nick Holland, Senior Planner, Deputy Mayor Phillipa 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:** Cmr. 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. Mr. Larson asked for any discussion. There was none. All agreed to approve the agenda and the agenda was approved unanimously.

### **Meeting Dates:**

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

### Citizen Comments:

State  
None

## 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 said that the designer attended the meeting and illustrated the look of the garage under a few different design options. She said that the height was accurate and represented what could occur given the current regulations and plans. She said that the Council understands that the civic space size was to be 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 said that she attended a meeting on affordable housing. She said 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. Deputy Mayor Kassover said that she took a virtual tour of the facility and program, which focuses on extended producer responsibilities. She said that a problem for the 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 asked for 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 area occupied and the available space on the site. 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

1 Kassover said that the Council is thinking of involving the Pike's Peak Library District in a partnership for  
2 the space.

3  
4 Cmr. Larson complimented the Council on the entries for the garage and the changes they looked at  
5 associated with that element. She asked if the City were operating the civic space, it may not have the same  
6 access as the commons. Deputy Mayor Kassover responded and indicated that Sound Transit will be the  
7 owner of the site and it is too early to determine the function of the civic space.

8  
9 **Old Business**

10 • Implementation of Town Center Vision

11 Review of draft amendments to Commission's 4/14/20 recommended Town Center Code

12 Updates addressing request from Deputy Mayor and Council Vice Chair

13  
14 Cmr. Larson went over all of the options from last meeting that were voted on by the Commissioners. She  
15 said they voted to go with the second option. She said a version of the text was sent to the Commissioners  
16 and asked if a discussion should occur. Cmr. Paisner asked for a presentation by the Planning Director to  
17 describe and review the proposed amendments.

18  
19 Deputy Mayor Kassover indicated she had one additional item to report and said that citizens came to talk at  
20 the budget meeting and the topic of climate change came up and the Council will become more intentional  
21 with regard to climate change policy. She said that regulations with regard to stewardship will be a focus of  
22 the Council.

23  
24 Director Bennett presented the code language and reviewed all of the proposed text changes. He clarified  
25 that the attachment being presented referenced attachment one in the meeting materials. He indicated that  
26 himself and City Attorney Kim Adams-Pratt were the authors of the document. Cmr. Saunders asked about  
27 some of the redlined changes and said that they weren't in the updates that the Commission made. Director  
28 Bennett clarified that the changes being presented are new. Director Bennett described the limitations on use  
29 section and said that it brings back the limitation on residential density. He presented the next section on  
30 page 10, which was a note that the previous section on limitations on use would regulate the footprint  
31 maximum provision. Cmr. Larson asked for clarification and City Attorney Pratt explained the intent of the  
32 edit. Director Bennett presented the next comment on page 18, which described parking regulations for the  
33 town center relative to the garage regulations. He went on to present information on site plan criteria and  
34 specific design standards as well as the procedural components. He said that section .120 was not kept and  
35 section .130 explains which general criteria would apply to any development in town center except the  
36 parking garage. Cmr. Saunders asked what the impact of that particular change would be. City Attorney Pratt  
37 responded and indicated that the development applications for town center will go through the minor and  
38 major permit application type review. Director Bennett went on to present additional amendments. He  
39 asked for comments. Cmr. Larson asked if the flagged comments should be discussed by the Commission.  
40 Director Bennett said that the flags are simply to educate the Council. Cmr. Larson asked about sections .120  
41 and .130 and asked if an application was filed what would the procedure be for that type of application and if  
42 the town center framework would apply. Director Bennett said that the framework would apply. Director  
43 Bennett presented the change in section .140 and indicated that the framework design guidelines would apply  
44 to all development in town center. Cmr. Saunders asked about the 2020 version of the town center  
45 framework design guidelines and asked if a 2020 version existed. Director Bennett said a reformatted  
46 document with some minor changes to open space and height would be adopted in a 2020 version to  
47 supplement the changes to the town center ordinance.

48  
49 City Attorney Pratt presented page 24 regarding design departure. She said that the development agreement  
50 with public process, which was previously recommended by the Commissioners, would cover this section in  
51 more detail and she recommends that the design departure section be deleted. Cmr. Fudge asked about the  
52 "may" and "shall" "enter into a development agreement" language and City Attorney Pratt said that Council

1 will have to be determine when the development agreement is applicable. Cmr. Fudge said that this issue is  
2 of paramount importance to him. He suggested having the development agreement trigger as a function of  
3 density and anything over the base density of town center would trigger a development agreement. Cmr.  
4 Lebo suggested any major permit as the trigger for a development agreement. Discussion continued on the  
5 topic of development agreements. City Attorney Pratt said that development agreements are optional, so the  
6 code has to explain a procedure, cite a code and standards without a development agreement. Cmr. Katz said  
7 that this discussion is out of the scope of the Commissioners review. City Attorney Pratt summarized and  
8 said that anything over the base density of town center would trigger a development agreement. Cmr. Fudge  
9 asked where in the code will it indicate when a development agreement will be required. City Attorney Pratt  
10 said that it could be in the section with density, but that the code doesn't necessarily have to specify when a  
11 development agreement is required. Discussion continued on the topic of development agreements.  
12

13 Director Bennett suggested discussing section .140 which details density. Cmr. Morris said the section  
14 reflects what the Commissioners discussed in previous meetings. Cmr. Paisner asked if the recommendation  
15 will include a density limit. Director Bennett said that anything above the current 120 units or seven units per  
16 acre would require a development agreement. Cmr. Larson summarized the direction of the Commission  
17 with regard to the code amendments, which include changes to clear up inconsistencies in the last draft.  
18 Director Bennett presented the reasoning behind the changes to the limitations on use section and said the  
19 changes tie the procedure component to what has been previously recommended and with what is in the  
20 other sections of the draft. He went on to present the section on private open space and mixed use buildings.  
21 Director Bennett said that the new "C" section may not be covered by the building code. He suggested  
22 reviewing sections .120 and .130 which redirects the criteria and procedure portions that had been previously  
23 recommended. Cmr. Lebo said he approved of the proposed edits. Cmr. Katz agreed. Cmr. Fudge asked if  
24 this section applies the framework to all developments in town center. He asked if any new limitations are  
25 created by the proposed amendments. City Attorney Pratt explained the reasons behind the proposed  
26 amendments, which are largely procedural and do not deal with the framework. Director Bennett said that  
27 this section supplements the framework and clarifies the requirements of the framework. Cmr. Gross said he  
28 approved of the amendments.  
29

30 Director Bennett presented the amendments for section .180 design departure. He asked for input and  
31 thoughts. Cmr. Lebo asked why it should be deleted and what the affect of that elimination would be.  
32 Director Bennett clarified how the section changed and said that it was mainly procedural. The  
33 Commissioners said that they agree with the proposed changes. Discussion occurred on which attachment  
34 represented which portion of the review and recommendation process to date. Cmr. Larson asked about the  
35 history of the proposed changes to section .180 and City Attorney Pratt and Director Bennett explained the  
36 motivation behind the suggested amendment and pointed out a new procedural section, which includes a lot  
37 of the elements of the design departure section. Cmr. Larson asked the Commissioners their opinion and the  
38 Commissioners indicated that they approved with the content.  
39

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

1 framework. Cmr. Morris said that additional height may be a benefit to the City if it is done correctly. Cmr.  
2 Lebo suggested that height beyond the base code could be accomplished via a development agreement and  
3 framework.

4  
5 Director Bennett presented the information in section .140. He summarized the square footage options and  
6 requirements in the matrix for open space within town center. He described the nature of the required open  
7 space and said that a portion would be set aside for interior space (not adjacent to roads or interior streets).  
8 He summarized the process by which these requirements were recommended. Cmr. Morris said that he  
9 would like as much open space as possible and favors the larger square footage. Cmr. Lebo asked about the  
10 implications of the larger square footage mandate. Director Bennett said that the larger requirement was  
11 favored by Council. All of the Commissioners agreed with the content of the matrix shown.

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

20  
21 Native Land Acknowledgement

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

24  
25 Reports and Announcements

26 None from staff.

27  
28 Additional Citizen Comments

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

30  
31 Agenda for Next Meeting:

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

38  
39 Deputy Mayor Kassover asked if affordable housing and the tax incentive provisions were included in the  
40 Commission's recommendations, Cmr. Larson said they were not. Cmr. Morris said that a recommendation  
41 and memo on these topics could be discussed or authored at the next meeting. Cmr. Larson said she would  
42 support discussion on the topic.

43  
44  
45 **Adjournment:** Cmr. Katz made a motion to adjourn the meeting, Cmr. Morris seconded; all agreed; and the  
46 meeting was adjourned.

47  
48  
49 Adjournment at 9:06pm

50 APPROVED:  
51

*Madlyn Larson*

1  
2  
3

---

Maddy Larson, Chair