

**REDMOND PLANNING COMMISSION  
MINUTES**

September 29, 2010

**COMMISSIONERS PRESENT:** Chair Hinman, Vice-Chair Gregory, Flynn, O'Hara and Julinsey

**COMMISSIONERS EXCUSED:** Commissioner Bontadelli, Biethan

**COMMISSIONERS CURRENTLY SERVING ON THE CODE REWRITE COMMISSION:** Phil Miller, Vibhas Chandorkar

**STAFF PRESENT:** Sarah Stiteler, Pete Sullivan, Redmond Planning Department

**RECORDING SECRETARY:** Kathryn Kerby, Lady of Letters, Inc.

**CALL TO ORDER**

The meeting was called to order at 7:00 p.m. by Chair Hinman in the Council Chambers at City Hall.

**APPROVAL OF THE AGENDA:**

No changes to the agenda.

**ITEMS FROM THE AUDIENCE:**

Bob Yoder, of Education Hill in Redmond, wanted to follow up on his last presentation about neighborhood associations. He stated that he was told by Council member Richard Cole that the Planning Commission would be making the decisions about how to proceed with the neighborhood associations. He acknowledged that people sometimes get confused between neighborhood association and homeowner associations. Mr. Yoder clarified that neighborhood associations are not exclusive situations. Membership in a neighborhood association is wide open versus a homeowner's association which is typically composed of only those residents of a specific subdivision.

Mr. Yoder spoke with a Kirkland neighborhood association, and spoke with several representatives, including Michelle Sailor, Chair of Kirkland's Market Neighborhood Association. Ms. Sailor explained that Kari Page, Kirkland's Neighborhood Services Coordinator, was crucial to the success of the association. Ms. Page served as a liaison between Kirkland City government and the various neighborhood associations, providing information, ensuring all the groups were in touch with relevant information, personnel and events. Mr. Yoder was hoping to meet with Ms. Page to speak directly with her about her work with the associations.

Mr. Yoder quoted one of the co-chairs for the Market Neighborhood Association, who said that their particular group kept all the residents apprised of various City issues and events, and helped build a sense of community. He shared a recent meeting agenda from one of the neighborhood association meetings. The cost for maintaining that association structure was budgeted for \$600

for 2010. Mr. Yoder thought Kirkland's approach for having neighborhood association websites is a great way to go. One of the things that the association is doing is setting up a login for residents so they can share information about the neighborhood. One example of that neighborhood association's benefits is their partnership with Green Kirkland. They have eight separate work parties set up for weed control in a nearby park. Mr. Yoder pointed out how hard it is to get such a high level of participation in Redmond.

Mr. Yoder said he was not sure how much more time he had. Chair Hinman suggested he turn over his research materials to Ms. Dietz. Some work had already been done but she would be the best person to determine how his suggestions might be folded into the pilot program. Mr. Yoder said he had seen some indication of alternatives to the pilot program but was not sure of the details. Chair Hinman replied that Ms. Dietz would have that information. He added that the Commission would review Mr. Yoder's additional items later during the meeting.

There were no additional comments from the audience.

**PUBLIC HEARING & STUDY SESSION, Proposed Development Guide Amendments for the Manufacturing Park (MP) zone including location requirement for religious institutions, presented by Pete Sullivan, Redmond City Planner.**

Chair Hinman opened the public hearing. Mr. Sullivan opened by explaining that this amendment affected only the Community Development Guide text. It is neither a zoning map amendment nor a Comprehensive Plan amendment. He explained that within the MP zone, religious institutions such as churches, synagogues and mosques up to 750 seats were currently considered special uses. Religious institutions larger than 750 seats were considered conditional uses. For buildings of 500 seats or more, the parcel must be adjacent to an arterial.

The proposed amendment would eliminate the adjacency requirement for the arterial. However, those parcels which are not adjacent to an arterial would be required to document that anticipated traffic would not negatively impact the nearest arterial and secondary access roads. Only 7% of Redmond was currently zoned MP, and within those zones only a small number are not already adjacent to arterials. So the potential number of parcels affected by this change would be small. However, the change would actually strengthen the MP zoning as a whole because all parcels would be required to document their traffic impact if above that seating threshold, regardless of whether they are adjacent to an arterial. The list of advantages created by this amendment included:

- 1) Increased land-use flexibility
- 2) Better traffic mitigation
- 3) Requirements would be applied equally across the MP zone
- 4) Consistent expectations for applicants
- 5) Appropriate levels of analysis

All landowners within the MP zone were mailed a letter explaining the proposed change. The state previously issued a SEPA Determination of Non-Significance for this amendment, and if approved the amendment would be reconciled by the Code Rewrite Commission. That concluded Mr. Sullivan's presentation.

Chair Hinman asked if anyone else wanted to speak on this topic, but no one came forward. So he opened the issues matrix. The first issue, raised by Vice-Chair Gregory, had asked about the amendment language regarding traffic impacts. Vice-Chair Gregory reported that he had discussed the usage of the terms level-of-service versus mobility units with staff. While the term level-of-service has become antiquated, it was a question of nomenclature versus substance. Substantively, staff wanted to ensure that traffic studies were done and any potential impact was quantified. Vice-Chair Gregory was satisfied that the specific term used would not change the meaning or intent or implications of the text and he was satisfied with it as-is.

Chair Hinman replied that the code should nonetheless stay current and consistent with other City code, as well as the current best practices terminology. Mr. Sullivan added that the term concurrency and mobility units are typically used in the context of a system-wide traffic analysis and less for development review. The higher priority here was ensuring that all staff were on the same page regarding which requirements are triggered and when. That language still needs to be reviewed by other departments, such as Public Works, who also have influence over traffic issues. That language would undoubtedly be revised during that process. Mr. Sullivan said that finalized language would come back before the Planning Commission for final review. Since that language had not been finalized, he asked if the Planning Commission wanted to discuss those changes or simply let the process move forward and consider the revised language when it came back to them. Chair Hinman said he would want to see that revised language before moving forward. If that is circulated in advance of the next meeting so that Commissioners can comment on it, he would be satisfied with that for the purposes of closing this particular issue. None needed to discuss it prior to seeing that revised language, so Issue #1 was closed.

Chair Hinman then began discussion of Issue #2, regarding ancillary land use for the religious institutions. Specifically, he had been concerned about traffic impact from possible daycare and/or school operations as part of a religious institution in one of the subject zones. Mr. Sullivan replied that such a scenario presented a classic dilemma for determining how best to regulate both that ancillary use along with the parent land use. In general it is acceptable to have a secondary use, as long as the applicant is clear at the time of application what those possible secondary uses may be. This is a common occurrence. Questions about parking, access and other issues from all potential uses must be dealt with at the time of application. As long as the applicant is up front about those possibilities there generally is no problem. If down the road some new supplemental use was proposed, at that time the conditional use would be reviewed and those additional criteria would then need to be met.

Chair Hinman asked if there were any other questions related to Issue #2. There were none, so he closed the issue. He asked if any Commissioners had any additional questions, but there were none. Chair Hinman then closed the oral portion of the hearing, and left the written portion of the hearing until their next discussion on this topic.

**PUBLIC HEARING & STUDY SESSION, Proposed Development Guide Amendments for the Manufacturing Park (MP) and Industrial (I) zones including access for seating capacity for wineries and breweries,** presented by Pete Sullivan, Redmond City Planner.

Mr. Sullivan opened his presentation by saying the proposed amendment was again only a text change to the Community Development Guide, rather than a mapping change or change to the Comprehensive Plan. The proposed change would eliminate seating limitations but retain size limitations for eating and drinking areas contained within the Manufacturing Park zone. The original proposal also changed the requirement in Industrial zones, but that portion of the amendment has been dropped.

The current thresholds for maximum seating is determined by both a 100-person cap in code, and a maximum building occupancy cap, set by fire code standards. The lesser of those two serves as the maximum seating limit. The size limit of 25% of overall use would remain. That ensures that the parent land-use purpose, namely manufacturing wine or beer, would remain the primary use in the Manufacturing Park zone. This proposed change would impact only a small fraction of the potential parcels because so few MP parcels are dedicated to winery or brewery use. The initial proposal included the Industrial zone but a landowner within that zone pointed out that there were no wineries or breweries in the Industrial zone and the landowner felt it was inappropriate to change policy given that lack of established usage and the nature of the heavy industrial zone.

Mr. Sullivan explained how the change would impact the sole brewery in Redmond. The current building is 18,000 square feet total. Using the fire code standards to determine maximum occupancy would result in a 300-seat limit. However, that could be limited further because the fire code standards are based on net usable area rather than gross square footage, so areas such as hallways, closets and mechanical areas would be backed out of that square footage total.

Mr. Sullivan addressed the question of additional parking needs for a tasting room. If a business had originally been built specifically for the sole purpose of manufacturing, code would only require three spaces per thousand square feet. If that same business then applied for a tasting area or serving area the full restaurant requirements would apply which would bump up the parking to nine spaces per thousand square feet.

In summary, the proposed amendment would:

- 1) Improve land-use flexibility and building performance
- 2) Clarify development regulations
- 3) Promote economic opportunity
- 4) Avoid drawing service away from Downtown and Overlake, since manufacturing would remain the primary land use.

The City had already sent out a letter explaining the proposed change to landowners in the Manufacturing Park and Industrial zones. Additionally, the City had already issued a SEPA Determination of Non-Significance. If the proposed amendment is approved, that text would be sent to the Code Rewrite Commission to be integrated into their work.

Chair Hinman invited any attendees to comment on this proposal.

Judy Jewell who owns a business at 19150 NE Union Hill Road in Redmond, wanted to comment on the outreach which City planning staff had done as part of this proposed amendment. She met with Mr. Sullivan and Lori Peckol. She had been concerned about tourist-type activities in an Industrial zone, and both those staff members had listened to her objections and then modified the proposal accordingly. Ms. Jewell just wanted to thank them for that willingness to listen.

There were no further comments from the audience, so Chair Hinman closed the oral portion of the hearing. He then opened discussion on Issue #1 from the issues matrix, regarding shared parking. He was satisfied with the three options proposed by staff, and asked if anyone needed further discussion. There was no discussion so he closed the issue. Chair Hinman opened discussion on Issue #2, regarding public safety as associated with expansion of a drinking establishment. Vice-Chair Gregory proposed that they consolidate Issue #2 and Issue #3 since they were fundamentally the same thing, namely, how to ensure public safety relative to establishments serving alcohol. He asked whether there were any mechanisms to control alcohol consumption patterns other than state liquor board regulations, land-use approvals, and business license approvals. Mr. Sullivan confirmed that planning departments generally are not in a position to govern consumption of alcohol since that was a behavioral issue, rather than a physical form issue. However, he did have a conversation with the Redmond Police Department about this proposed amendment. Their role is to enforce state law, which in this context includes two issues:

- 1) Over service of alcohol
- 2) Service to minors

The Police Department participates or conducts a variety of alcohol consumption monitoring programs, and any eating or drinking establishment at an MP-zoned business would fall under those existing programs. If the police established a pattern of alcohol abuse from a given business, that issue is flagged and addressed.

Chair Hinman asked if there were any further questions. There were none so he closed Issues #2 and #3, then opened Issue #4 regarding improved foot traffic circulation, such as sidewalks. Chair Hinman asked if anyone else had questions or comments on the staff comments. No one had any further comments so Chair Hinman closed this issue.

Chair Hinman raised a new issue, regarding boutique distilleries. He asked if text should be added to include distilleries in the revised language. Mr. Sullivan said he looked into whether distilleries would be impacted by this change, if any distilleries ever opened within the MP zone. His research concluded that they would not be helped by this amendment because the threshold for a profitable tasting room seems to be a 6,000 square foot facility or larger. Yet the largest distillery in the state is only 3,000 square feet in Spokane. Mr. Sullivan acknowledged that boutique distilleries were relatively new to the marketplace so perhaps there could be a need for this in the future. At present, distilleries are not big enough to be impacted by this change. Chair Hinman was satisfied with that and did not feel the need for additional review.

Mr. Sullivan raised another issue, that as Redmond land-use matures and parcels shift to other land uses, the remaining MP and I parcels need to be protected. Commissioner O'Hara added that he was most concerned about two related land-use issues:

- 1) Drawing desirable business away from Downtown and Overlake areas
- 2) Drawing inappropriate businesses such as tourism into the heart of the City's industrial area.

They are working so hard to make Overlake and Downtown more vibrant, where such businesses would attract traffic into areas where more traffic would be appreciated.

Mr. Sullivan replied that this amendment did not really threaten Downtown or Overlake activity, because the parent businesses are manufacturing a product. This is not a question of whether the business should be in Overlake or Downtown or the MP zone. Those businesses can only be in the MP zone. Rather, this is a way to diversify the economic opportunity for those businesses. At some point, a high number of tasting rooms in an MP zone would erode the purpose of the MP zone and draw business away from areas such as Downtown and Overlake. However, at this time the City is not proposing new land-use criteria. Rather, the existing criteria are being modified to provide more flexibility for those businesses already in that zone. Commissioner O'Hara was satisfied with that reply.

Chair Hinman asked if there were any further questions or comments on this topic. There were none. Vice-Chair Gregory moved that they recommend adoption of the proposed amendment, as amended with the removal of the Industrial zone. The motion was seconded and was unanimously passed. Chair Hinman closed both the oral and written portion of the public hearing.

### **REPORT APPROVAL, 2010-2011 Comprehensive Plan Update, Participation, Evaluation and Implementation Element**

Chair Hinman asked if there were any questions relative to the report as provided. There were none. Chair Hinman pointed out a minor editing change for the final sentence of Paragraph B, on page 3. There were no other comments. Commissioner O'Hara motioned that the report be approved. The motion was seconded and unanimously approved.

### **BRIEFING, Zoning Code Rewrite Project, presentation regarding Design Standards regulations, presented by Steve Fischer, Redmond City Planner.**

Mr. Fischer explained that this was just a briefing for the Code Rewrite Commission's status in the review of design standards:

- 1) Review began on August 16, 2010
- 2) The public hearing on this item has been opened and closed.
- 3) The CRC met three times in August and once in September.
- 4) Issue resolution began this week. The CRC meet again in two weeks, during which time they should be ready to make their recommendation to City Council.
- 5) The CRC's review of the design standards resulted in a complete overhaul of those standards. The CRC identified several goals:

- a. Identify deficiencies in the code
- b. Obtain CRC feedback with respect to overall organization of the code
- c. Obtain CRC feedback on recommended changes
- d. Receive comments and changes from the CRC

Staff identified several deficiencies:

- 1) Clear purpose statements do not exist for all sections
- 2) Code is poorly organized causing confusion
- 3) Standards sections generally contained a definition within the code. Some terms need to be defined. One term was not defined.
- 4) Design-related code from Downtown and Overlake were not part of the Design Standards.
- 5) Design standards contain non-design related items better addressed by staff.

In addition to these items, there were sections that were either repetitive or vague. In a court decision known as *Anderson vs. Issaquah*, the court ruled that design standards are unconstitutionally vague when men and women of common intelligence must necessarily guess at its meaning and differ as to its application. That court case required of code that it:

- 1) Use non-technical words
- 2) Have well-settled common law meaning, or
- 3) Are illustrated by schematic drawings or photographs that clarify the concepts that might be too difficult to describe with clarity

An example of vague code would be a requirement that a building's color be harmonious with other buildings in the neighborhood. The term harmonious could mean many things to many people. The CRC reviewed the Design Standards with these criteria in mind. Given that, the CRC's key substantive changes were:

- 1) Organization
  - a. Citywide criteria
    - i. Context, Circulation, Connections
    - ii. Community Spaces
    - iii. Design Concepts
  - b. Urban Centers criteria
    - i. Downtown
    - ii. Overlake
  - c. The new numbering system is only temporary. The CRC is still working on a final numbering system.
- 2) Corner Lots
  - a. New section to encourage pedestrian activity in the Downtown area
- 3) Additional sections
  - a. Seven new sections have been moved to the Design Standards from the Downtown Residential portion of the code
  - b. Two new sections have been moved to the Design Standards from the Overlake section of the code
- 4) Removed sections:
  - a. Administration

- b. Lighting
  - c. Open space
  - d. Tree retention
  - e. Signs
- 5) Clarity of code
- a. Portions of code that are vague or duplicative have been removed
  - b. Improved graphics
    - i. Crisper and easier to read
    - ii. Simpler graphics that actually define the preferred treatment, rather than a pretty, but busy illustration

Mr. Fischer finished his presentation and stated that the Design Standards changes would be ready for recommendation in time for the CRC's next meeting in two weeks.

Commissioner O'Hara asked how large the revised Design Standards would be. Mr. Fischer replied that the net Design Standards changes will be roughly 4,000 words shorter than the existing standards. More importantly, they have dramatically cleaned up the code so that it is much easier to read. The Design Standards' total length has been reduced from 106 pages to 91 pages. The change in length has actually been a huge amount of the work, because a lot of material was moved around, moved in, moved out, or rewritten. However, even with all of that effort, the CRC will be asking City Council for permission to completely rewrite the Design Standards to further refine that body of text. The CRC has done about as much as possible given their charter, but this section needs serious attention at some later date.

Commissioner Julinsey asked what sort of feedback the CRC had received from developers. Mr. Fischer replied that despite extensive outreach, they have received very little feedback from the development community. Commissioner Flynn wanted to clarify that the CRC was not seeking to change content, but rather clarify content. Mr. Fischer confirmed that was their intent. Commissioner Flynn asked what would happen to developments that were underway while those standards changed. Chair Hinman replied that the CRC was mandated to make structural and refinement changes but not policy changes, so any projects currently underway would not be impacted. If anything, they should make the code easier for developers to work with. Mr. Fischer gave an example of three similar developments on Cleveland; one has finished and the other two are underway. The chairman of the Design Review Board pointed out that the restrictive standards resulted in buildings that all looked the same, which was not the goal. It became clear that the policy needed to change, which was beyond the scope of the CRC's current work.

### **STUDY SESSION, Proposed Neighborhood Association structure as suggested by Audience Comment.**

Chair Hinman asked whether the Commissioners needed to further discuss Mr. Yoder's comments from earlier in the meeting. Chair Hinman pointed out that Mr. Yoder has appeared before them several times with some very carefully thought-out proposals for how to structure neighborhood associations within the City. He asked if any of the other Commissioners felt the topic warranted further conversation. Commissioner Julinsey said she would like to see more involvement of school-aged children in the neighborhood association process. Chair Hinman

replied that the youth are a valid vehicle for community change. Chair Hinman added that for this context, they have been discussing their pilot Neighborhood Network project without being sure of all the required pieces. He was not sure it precluded Mr. Yoder's ideas. Commissioner O'Hara participated in the Overlake Citizen Advisory Committee prior to joining the Planning Commission, and he found a handful of people who were very committed. He believed the CAC structure was good but he was not sure how to go to the next level to get more participation.

Chair Hinman replied that the topic of a neighborhood association came up while talking about the possibilities for building the proposed Neighborhood Network. He believed that Mr. Yoder's suggestions should be kept in mind as that pilot program moved forward. He was not sure how much emphasis to put on Mr. Yoder's ideas since the Commission had already voted on that particular item and the next step in the process is to receive the finalized report for forwarding to City Council. Chair Hinman believed that they could proceed with that process while still keeping in mind Mr. Yoder's suggestions. He asked Ms. Stiteler for suggestions on how to incorporate those ideas, while also determining the overall impact of incorporating his ideas. A pilot program would be an ideal time to investigate and test these ideas. The Commissioners agreed that at least some of Mr. Yoder's suggestions should be included in that pilot project. Vice-Chair Gregory specified that while he liked many of Mr. Yoder's ideas, he felt strongly that any such activities be initiated and maintained by the neighborhoods, rather than by the City.

## **REPORTS**

No reports.

## **SCHEDULING/TOPICS FOR NEXT MEETING(S)**

The Commission discussed the issues to be addressed in upcoming meetings.

## **ADJOURN**

Chair Hinman adjourned the meeting at approximately 8:40 p.m.

Minutes Approved On:

Planning Commission Chair