

**REDMOND PLANNING COMMISSION  
MINUTES**

July 20, 2011

**COMMISSIONERS PRESENT:** Chairman Hinman, Vice Chair Franz Wiechers-Gregory, Commissioners O'Hara, Chandorkar, and Flynn

**COMMISSIONERS EXCUSED:** Commissioners Biethan, Julinsey and Miller

**STAFF PRESENT:** Sarah Stiteler, Kelsey Johnson, Pete Sullivan, Redmond Planning Department; Carolyn Hope, B Sanders, Parks Department

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

**CALL TO ORDER**

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

**APPROVAL OF THE AGENDA:**

No changes to the agenda.

**ITEMS FROM THE AUDIENCE:**

Mr. Howard Harrison spoke to the Commission. He lives at 17719 NE 110<sup>th</sup> Way in Redmond. He is a certified professional horticulturist, a business owner, and a member of Sustainable Redmond. He has spoken to the Commission before. He wanted to add some comments regarding the Natural Environment Element under review. Today he spoke with Ms. Cathy Beam, Principal Planner with the City of Redmond about some written comments he had submitted earlier. She spoke to him about what was appropriate for the Comprehensive Plan and other concerns. She also discussed with Mr. Harrison his suggestion of adding compost tea as a choice for developers working on a property. Compost tea can result in savings in some circumstances with the proper soil. He gave the Commission some written information on compost tea. Mr. Harrison said Sustainable Redmond is working with the National Wildlife Federation in a Community Wildlife Habitat designation for the City of Redmond. He stated that this follows with having good, sustainable pesticide policies. The Commission thanked Mr. Harrison for his time. Mr. Harrison noted that there would be a public meeting about backyard habitats at Redmond Library around September 15<sup>th</sup>.

Tom Markl, the CEO of the Nelson Legacy Group, spoke to the Commission. His address is 16508 NE 79<sup>th</sup> Street in Redmond. His firm represents the owners of the Redmond Car Care Center, which the Commission will review again this evening. He wrote a letter to the Commission dated July 15<sup>th</sup> regarding some questions raised at the public hearing last week on this issue. He noted that the answer to the parking question is that the applicant has a parking ratio of 3.5 with a potential to raise it to a number around 3.7, which far exceeds the MP requirement of 2 to 3, and comes close to the GC requirement of 4 to 5. He wanted the Commission to bear in mind that if his proposal is accepted, such that there are mixed uses on the site, both MP and GC uses would be in place and adequate parking would be available to serve their needs. The marketplace would also help, in that no prospective tenant would lease space if there was a parking problem.

Mr. Markl said that the Commission was empowered to do what is fair, reasonable, and in the community's interest. He has tried to dispel the concerns with his compromise proposal over the last

few weeks, and he believes there will not be an adverse traffic impact. Driveways and parking would not be a problem. He did not think the project was a threat to the Downtown or Overlake business communities, as there are only 2.5 parcels in the proposed overlay area. Mr. Markl did not believe his applicant was a threat to the MP zone, in that these are the only three MP parcels that face onto Redmond Way, which is highly unique. He said that his request was fair and reasonable, in that the applicant is a tiny island of MP in a sea of GC.

Mr. Markl felt that it was unfair that two sets of properties that have similar circumstances and characteristics, meaning the proposed overlay properties and the existing GC properties, would share the situation of facing Redmond Way, but be treated differently in terms of allowed uses. He said his proposal was consistent with the Economic Vitality Element of the Comprehensive Plan, and the economic development objectives of the City noted in the Redmond Economic Development Alliance. Mr. Markl said that his proposal would be very acceptable to Council. He said his proposal was fair, reasonable, and in the community's interest. He asked the Commission for a recommendation of approval to the Council. He thanked the Commission and the Commission thanked him as well.

No other members of the public wanted to speak at this point, so Chairman Hinman closed the Items from the Audience portion of the meeting.

**STUDY SESSION, Natural Environment Element, Limited Shoreline Master Program Amendment & Critical Areas Ordinance Amendment - FEMA Floodplain Management,** presented by Cathy Beam, Principal Planner, City of Redmond Planning Department.

Ms. Beam noted that all items were closed on the issues table with the exception of Issue 10. Chairman Hinman noted that there was a question on Issue 5 and 33-A; both were approved, however. Item 10 has to do with pesticide and herbicide use in the City. Mr. Harrison made some comments in a letter dated July 13<sup>th</sup>, which spoke to Policy NE-94, which is about minimizing impacts to wildlife and water quality by not using pesticides and fertilizers. He suggested adding *pets and children* to the end of this statement: *...implement public outreach and educational opportunities to inform residents of the impacts on pesticides on wildlife.*

Staff has recommended not including that because this is in the Fish and Wildlife Habitat Conservation section of the Natural Features Element, which deals specifically with wildlife. Ms. Beam has been trying to address Mr. Harrison's concerns in a different spot other than this element. A staff member will work on this soon. Also, in introducing the PARCC Element tonight, there may be a place for a policy to dovetail with the pesticide and herbicide issue. Chairman Hinman said he understood Mr. Harrison's concerns. Mr. Harrison's other issue, about compost tea, may find a place in Policy NE-94, in that sometimes, compost tea might be more economical. Staff would be willing to modify NE-94 to read... *require the use of compost-amended soils, then adding and/or compost tea during development/redevelopment to reduce the use of pesticides and fertilizer.* Mr. Harrison's third concern deals with Policy 104, which is a tree preservation policy. The policy reads *maximize tree retention and tree appearance when development occurs through the following.* Five bullets are listed. Mr. Harrison wants to add a sixth bullet that reads, *encourage appropriate tree pruning, avoiding topping.* Ms. Beam said that would be fine, in that current regulations prohibit tree topping. She concurred with Mr. Harrison's position and staff and proposed that addition.

Chairman Hinman summarized that staff is concurring with one point of Mr. Harrison's, has added some language for the Commission to review on another point, and finally recommended not including

the *kids and pets* phrase. Commissioner Flynn clarified that the first part of NE-94 included the phrase, *should chemical treatment become necessary*. He asked if that meant the use of pesticides and herbicides. Ms. Beam noted that the Code also includes the recommendation of using organic treatments first. She said it was a tiered approach: don't use chemicals at all; if you have to, use organics; if you really have to, you should use non-organic chemicals minimally. Commissioner Flynn is concerned the language needs a slight revision to indicate that tiered approach. However, he is in general agreement. Commissioner Gregory suggested using *avoiding use of* rather than *not use*.

Commissioner Chandorkar noted that specific implementation techniques are generally not included in the policy language. He noted the compost and compost tea statements might be better placed in the narrative section of this issue, in that more and different compost products might be developed in the future. Commissioner Gregory thought the language noted that composting could include compost tea. Commissioner O'Hara said the language was best suited for the narrative, as Commissioner Chandorkar suggested. Commissioner Flynn did not have a problem where compost tea was located. Chairman Hinman concurred with Commissioner Chandorkar's position, and asked Ms. Beam to place the point about compost tea in the narrative. Mr. Harrison was amenable to that as well. Hearing no further comments, Chairman Hinman closed Issue 10. As an informational point, Commissioner Gregory asked about RICE, the Redmond Industries for a Cleaner Environment, which has been writing to the City about a desire for water infiltration and recharge. Ms. Beam said these are the industrial users in southeast Redmond.

MOTION to approve the Natural Environment Element, Limited Shoreline Master Program Amendment & Critical Areas Ordinance Amendment - FEMA Floodplain Management as proposed by Commissioner O'Hara. Seconded by Commissioner Chandorkar. Motion passes unanimously (5-0). Chairman Hinman thanked Ms. Beam for her work and Mr. Harrison and other members of the community for their input.

**PUBLIC HEARING & STUDY SESSION, Capital Facilities Element, 2010-2011 Comprehensive Plan Update**, presented by Pete Sullivan, Principal Planner, City of Redmond Planning Department.

Chairman Hinman told the public that staff would make a presentation for the record to set the context. At that point, the hearing would be open for public comments. Commissioners may ask the public commenter questions. At the end of those oral comments, that section of the hearing will be closed and written communications on the topic will be accepted for an additional week until the next study session on the topic. Chairman Hinman opened the public hearing, and Mr. Sullivan presented to the Commission. Mr. Sullivan provided an overview of the staff-proposed amendment to the Capital Facilities Element. He noted that some written correspondence has been received from the Microsoft Corporation on the Capital Facilities and Utilities Elements. Staff has worked on responding to those concerns, and summarized the City's response to the Commission. There are substantial revisions to both of these elements involving reorganization and consolidation, as well as new policies and narrative introductions. These larger changes are proposed because the City provides service and a land use vision that impacts many parts of the community, and wants to respond to best management practices and advancements in technology.

Also, due to regulation changes in other agencies, it is time to change the upstream policies to keep them in alignment, Mr. Sullivan noted. The top three issues in the Capital Facilities Element that Mr. Sullivan highlighted include the following:

1. The role of maintenance in the Capital Facilities program, including maintenance activities and costs in budgeting. Staff is looking to make the language stronger.
2. The desire of the City to perform longer-term capital facility planning on the same time horizon as the 2030 Comprehensive Plan. Staff is looking long-term to predict when various projects would be built to gain efficiencies.
3. Updating the Facilities inventory service standards for the various functional areas, and the role of functional plans, such as the Transportation Master Plan, Sewer Plan, Water System Plan, etc. Staff would like to better explain the role of those plans and their impact on the Capital Facilities Element, and also create a system to update those plan requirements effectively.

Chairman Hinman noted that no one had signed in for the public hearing on Capital Facilities. No one in the audience responded to another call for oral comment. Chairman Hinman closed the oral comment portion, and asked Mr. Sullivan to address the written comments from the public. Commissioner Gregory took the lead for this element. Mr. Sullivan noted that the written comments include only the letter from Microsoft. The company made one comment as regards Capital Facilities, saying that it would be useful for the City to include an express allowance to encourage public-private partnerships, and construct capital facilities when appropriate and agreed to by all parties. Mr. Sullivan did not have amended text language at this time, but said this comment is consistent with future City intent to, as appropriate, form these types of partnerships. Staff will look for opportunities to include this language. Commissioner Gregory asked about an *express allowance*; Mr. Sullivan was not able to provide a legal definition, but believed it was a term similar to *explicit allowance*. Chairman Hinman recommended adding this to the issue table, which Mr. Sullivan agreed to, and will have that language included in the next version of the text the Commission reads.

Commissioner Gregory asked Mr. Sullivan to go to the issues matrix at this point. Commissioner Gregory was happy with the staff response on the narrative for Issue 1, maintenance. Commissioner Flynn had raised this issue before, and asked that staff come back with some suggested changes in text before closing this out. Mr. Sullivan said that he would. Chairman Hinman would like to see the language first before final approval. This issue remained open, pending language change.

The next issue, Issue 2, dealt with the phrase *wise use* in the text, and was a concern of Commissioner Biethan's. Mr. Sullivan noted that this language would change to *effective use*, and mentioned that this was in regard to the use of public funds. Chairman Hinman suggested closing that issue, which the Commission agreed with.

Issue 3, with respect to the police substation, was an issue brought up by Chairman Hinman. Mr. Sullivan said this sentence needs to go away, as the substation is closed. Right now, this sentence is marked for deletion; the Police Department still needs to weigh in on this issue. A sentence noting future deployment of officers in Redmond Town Center would be reflected in the final language. Chairman Hinman suggested leaving this issue open pending language from the Police Department.

Issue 4 dealt with service arrangements for facilities jointly owned with Bellevue and Kirkland, and was a question from Chairman Hinman. This was an informational question, and Mr. Sullivan responded as to how jointly owned water tanks and pump stations were handled between the multiple cities. Redmond owns less than half of these facilities, so the other jurisdiction coordinates the maintenance and back bills Redmond for its portion. Chairman Hinman thanked Mr. Sullivan for this detail, and the Commission closed the issue.

Issue 5 was an issue of emergency management, and staff has responded with a reference to the Hazard Mitigation Plan updated in 2009 and the Emergency Management Plan from the Office of Emergency Management updated in 2009. Chairman Hinman had brought up this issue, and asked if these were good references to put at the end of this document. Mr. Sullivan was not sure that was advisable, as staff had tightened up this section to include only functional plans that the Capital Facility Element adopts by reference. The two aforementioned plans are operational plans, not functional plans, thus offsetting the convention proposed by staff. Chairman Hinman said he was not hung up on this issue; the Commission agreed to close this issue.

Issue 6 dealt with service standards, and was a concern of Commissioner Chandorkar's. Mr. Sullivan said this issue is pending additional language. He asked Commissioner Chandorkar if his concerns over consistency were addressed in the revision. Commissioner Chandorkar said assuming the rest of the changes take place to make this consistent with the presentation of the other elements, he would be happy with that change. The Commission agreed to keep this issue open pending new language. Commissioner Gregory concurred with staff's idea to talk about service standards rather than terms like *level of service*, which can imply something specific.

Chairman Hinman recapped the issue table, and noted that Issues 1, 3, and 6 were still open largely pending language changes. A new Issue 7, responding to the public comment of Microsoft, has been added to the matrix to deal with public-private partnerships. Chairman Hinman asked if any other issues came up for Commissioners with this element. The element will stay open for another week for more written comment. Commissioner Chandorkar asked if the change proposed from Microsoft would not be in the policy statement, but rather in the policy narrative. Mr. Sullivan will review the element to see where it would be most appropriate. Chairman Hinman closed the Capital Facilities oral comment period, but left it open for written comments until the next study session on July 27<sup>th</sup>.

**PUBLIC HEARING & STUDY SESSION, Utilities Element, 2010-2011 Comprehensive Plan Update**, presented by Pete Sullivan, Principal Planner, City of Redmond Planning Staff.

Chairman Hinman noted that this item has embedded within it a specific item regarding underground utilities which will be handled later in the meeting. He opened the public hearing on this element.

Mr. Sullivan provided context to the Commission, and mentioned that much like the Capital Facilities Element, the Utilities Element has about 20 new policies proposed, for the same reasons as mentioned above. Regarding the undergrounding requirement, there are two main emphases:

1. Dealing with stormwater and the requirements for both public and private projects.
2. Guidance towards best management practices, advancement in technologies, and alignment with state law, with attention paid to the stormwater utility's unique multiple roles as utility provider and steward of City streams and water courses, not just pipes in the ground.

The energy section will demand special focus as well, as changes have been proposed in the Comprehensive Plan regarding climate change, consistent with Puget Sound Regional Council direction from Vision 2040. Staff has also asked the Planning Commission to take a close look at utility undergrounding. Staff has proposed very minor amendments in the Utilities Element in UT-14 and UT-15. No major policy shift has been proposed here; the larger change will be proposed on the implementation side, via the Zoning Code.

Chairman Hinman asked Randall Olsen, Marcie Chartier, and Allen Wallace [sp] to come forward on this topic, as they signed up to speak at the public hearing. Mr. Olsen spoke to the Commission first. He noted that he was an attorney at Cairncross and Hempelmann. His address is 524 Second Avenue, Suite 500, in Seattle, Washington, 98104. He said he was representing RICE, the Redmond Industries for a Clean Environment. RICE has made comments before, written and oral, on June 29<sup>th</sup> and July 13<sup>th</sup>. He thanked the Commission for responding to those comments. Mr. Olsen summarized a letter of his comments for tonight's meeting. He said there are several sections in the Utilities Element update that appear to impose retrofits on existing private stormwater facilities. He said exacting mitigations from property owners in this manner violates well established state law. A remedy to those violations has been proposed by RICE, and he asked the Commission to consider those changes. Chairman Hinman said staff would respond to this letter.

Marcy Chartier spoke to the Commission. Her address is 7511 Old Redmond Road. She is the Executive Director of the SRA, the Sammamish Rowing Association, and she had concerns about a utility fee on an SRA building project. SRA is a non-profit organization that runs rowing classes for 200 youth and 100 adults each quarter. The programs are out of what she calls a glorified shed, with no running water, Porta-Potties, and tarps over the roof to keep out the rain. The SRA has tried to build a new boathouse since 2006. This year, SRA has broken ground and brought in utility lines. Wetland restoration has also been part of the process. The budget for the project is \$2.5 million. To date, about \$1.2 million has been raised. One requirement for the project was to bury the utilities on the front side of the project which is made up of telephone lines only. One utility pole has to be removed and the lines would run the length of a few hundred feet. The contractor said this process should cost about \$20,000, and the SRA was shocked to see that Frontier Communications was going to charge \$143,000 to do this work.

Ms. Chartier noted that all of this work would have to be redone when West Lake Sammamish is widened. She said this appears to be a waste of resources for the SRA and the City of Redmond. She said she is not against undergrounding, but she was hoping to find a more equitable way to share the cost of that process. She said this was an incredibly burdensome fee for a non-profit group like SRA. The fee for Frontier is 10% of the remaining budget for the project. Ms. Chartier said she believed it was unfair to bury utilities for such a short distance. She noted that SRA has already buried a conduit along the property frontage for Frontier that could also be used by the City during the road widening. Finally, she did not believe her non-profit should shoulder the entire burden of a community improvement project. Ms. Chartier thanked the Commission for their attention to this. Chairman Hinman noted this could be added as an issue to the matrix. Mr. Sullivan said this would come up during the planned discussion. Chairman Hinman said Mr. Olsen's comments will most likely need additional attention, too.

Mr. Alan Wallace spoke to the Commission. He works for Williams-Kastner, legal counsel for Cal West Industrial Properties. His address is 601 Sixth Avenue, Seattle, 98101. He spoke to issues similar to Mr. Olsen's concerns about stormwater language in the Utilities Element. Mr. Wallace asked about the retrofitting requirements noted in the element. He did not question the goal of stormwater quality, but noted that this ideal had to be accomplished legally. Mr. Wallace has spoken to the Redmond Chamber of Commerce about these concerns and with Jon Spangler, who deals with stormwater in his role in the Public Works Department. Mr. Spangler has spoken to Mr. Sullivan and told him that the intent was not to be applied to private property owners. Mr. Wallace said he has provided some amended language for consideration.

Mr. Wallace noted that there are constantly evolving standards regarding stormwater quality, including a new manual from the State Department of Ecology due out this fall. Federal laws govern this topic as well. He asked the Commission to consider that the City is in compliance already with the State stormwater standards. Also, there have been no issues of compliance discovered in the City's wells with regard to federal and state clean water drinking standards. He noted that Redmond has a good system today. He urged the Commission to focus on what would be best for tomorrow, which he believes does not include requiring private business to retrofit. The fiscal impact of retrofitting would be tens of millions of dollars, and might involve tearing down buildings and parking lots. Mr. Wallace would like the Commission to amend the language as he proposed.

Commissioner Flynn asked Mr. Wallace if the state allows businesses to grandfather into the updated standards. Mr. Wallace said the state manual does not have a grandfathering clause, but said the trigger to apply the manual to an existing business in Redmond would be an applicant coming in for a permit such as a land use entitlement. The City has a threshold, in that if only small changes are proposed, no stormwater changes would be required. However, any changes above 50% of the appraised value of the building would trigger full compliance. Mr. Wallace said that is a very aggressive policy for the City.

Commissioner Chandorkar asked Mr. Wallace if moving the City to a new ideal would trigger a reaction on the part of property owners, in that the implementation of this goal might take several years. Mr. Wallace said the root cause of his concern is that the policy sets a template for implementation and City budgeting, and noted that a policy broadly written today could be construed by City staff at some point as a requirement to ask businesses or even homeowner's associations to retrofit. Mr. Wallace said it was a laudable goal, but because it is so broad, it could cause major legal problems in the future.

Commissioner Chandorkar asked if grandfathering in existing businesses would make sense. Mr. Wallace noted that the vast majority of non-point pollution, where pollution hits City streets and goes into the stormwater system, comes from cars driving on City roads. The City is also looking into a stormwater trunk line to treat stormwater Downtown, treating the issue City-wide rather than dealing with individual systems for private businesses. With grandfathering, unless a private property comes in for a land use change, no stormwater changes would be necessary. The proposed policy makes it seem as if the City could knock on anyone's door and ask for a retrofit. Mr. Wallace said that absent any significant issue of public safety, health, or welfare, the City would not have that ability to ask for such a change.

Chairman Hinman asked for any other public comment. Seeing none, he closed the oral portion of the Utilities Element public hearing. The written portion will be open for the next week. He noted that there might be comments on undergrounding. He asked Mr. Sullivan about the written letters received. Mr. Sullivan asked the Commission if the public comments could be added as separate but related issues for the purpose of clarity. Chairman Hinman said that was a good idea, and moved next to the issue of undergrounding.

Mr. Sullivan noted that this topic was an attempt to identify conceptual alternative strategies for implementing the undergrounding requirement for utility distribution lines. Staff has requested the Commission look at this issue and form a recommendation for those strategies, though not to the point of policy changes. This issue is before the Planning Commission as a result of City Council discussions during review of Package 1 of the Comprehensive Plan. The Council noted that this

requirement although laudable, has created high costs for private businesses. Staff has been directed to find other options where costs are in scale with development. The Redmond Zoning Code regulations would be the main focus here. Mr. Sullivan noted that for purposes of environment, aesthetics, safety and security, undergrounding aerial utilities is the desired route for development. The Zoning Code also expresses this. The requirement goes from larger development to smaller, single-family home alterations.

Undergrounding involves not only the undergrounding of distribution lines in front of the property, but also undergrounding the service lines from the street to the property. Undergrounding the service lines would represent a very small portion of the total undergrounding cost, about 10-15%. The frontage space is where most of the cost accrues. Remodeling an existing commercial or industrial building substantially can trigger the undergrounding requirement when 50% of new floor area is added, or if 100% of the value of the existing structure is added. A similar requirement has been placed on single-family and multi-family homes. Exemptions are given to substations, larger capacity lines, and areas where the utility states that service might be hampered. A private owner may petition the Technical Committee for relief with unusual circumstances.

Mr. Sullivan spoke to the cost of undergrounding for a development. A minor alteration can sometimes create undergrounding that could double the price of a project. Staff explained how this would affect a private homeowner, and showed the Commission two examples. One case involves 150 feet of undergrounding with no poles; the second case involves underground two spans of 300 feet with poles in the frontage. The estimated price range is from \$30,000 to \$65,000. Commissioner O'Hara noted that from earlier public testimony there are costs that can be higher. Mr. Sullivan noted that there are some special cases that can affect the final cost, which is why the Technical Committee petition process is available.

Staff focused on single-family homes with this discussion, but the Commission was allowed any comments on this issue. Council noted that with single-family homes costs can raise out of scale. Mr. Sullivan said the section of the Zoning Code dealing with this situation does not have a specific reference to the petition process with the Technical Committee, which could be a place for improvement. There are several alternatives to undergrounding, though Mr. Sullivan said legal issues may change the final alternative recommendations.

If the goal is to underground all utilities, Mr. Sullivan said the City would go property by property during development. An undergrounding program is in place in the City already, as noted in the Transportation Capital Improvement Program. Part of that program allows for undergrounding, though that is a small portion of money. The City has arrangements with Puget Sound Energy on who shares the costs of undergrounding in that the City and the utility benefit from undergrounding, especially for windstorm protection.

Mr. Sullivan then reviewed several conceptual alternatives for undergrounding the distribution lines. Staff is not proposing changes to code for undergrounding service lines. The first alternative would adopt a corridor approach, where single-family owners would contribute a predetermined amount of money to underground a full corridor, rather than doing homes individually. The undergrounding program works in an opportunity-based manner, meaning the City takes advantage of a large rewiring job for example, to help multiple residents save money. This could also protect single-family homeowners from very high costs. It is not clear what the cost per foot, for example, will be in the future of homeowners. But the opportunity-based scale would help even this

out. On the con side, isolated segment undergrounding fit well with this approach. Commissioner Flynn asked how this alternative might be triggered, and Mr. Sullivan noted that the Commission would come back to this issue.

A second alternative would maintain the incremental approach, but would increase the City's contribution to undergrounding. This would cap a certain amount for the single-family property owners, with the City covering the remainder. This could be triggered in an area in rough terrain, for example, that could cost more. Mr. Sullivan said this approach could increase costs for all property owners and divert money from other projects. The idea here is that everyone benefits from utilities being buried.

A third alternative would be to maintain the incremental approach, but revise Code language regarding when undergrounding would be required, such as increasing the valuation thresholds. Exemptions could be increased, including exempting single-family homes altogether. In some cases, a City Public Works Director, or Technical Committee, could authorize a delay when it is known that undergrounding will be happening in a certain area in the future. The City of Woodinville had an example where a homeowner was exempt when undergrounding costs 2.5% of the project cost. This could help protect property owners from high costs, but fewer lines would actually be buried.

The first conceptual alternative is the one preferred by staff so far; Mr. Sullivan noted that staff is continuing to consult with the City attorney regarding aspects of this alternative. Chairman Hinman asked the Commission if the corridor approach or the incremental approach were the best option, or if the third option would be best. Commissioner Gregory also prefers the first alternative, but asked if other types of properties could be added, such as non-profits, clubs, and community groups. Mr. Sullivan noted the proposal does not include non-profits, as there are few cases of this nature where applicants are looking for relief. He noted that the Technical Committee could make a change with a unique case. Chairman Hinman appreciated the corridor approach, but noted that the properties could change ownership. He noted the SRA case brought up in the public hearing might have some merit for an exemption.

Commissioner Chandorkar asked about the time horizon for City projects to trigger this kind of exemption. He noted that West Lake Sammamish would not be developed until 2022, and asked if time-wise, that would be too far out. Mr. Sullivan said that planning that far out has not occurred. Commissioner O'Hara agreed that the time horizon was a key, especially with regard to funding for a public project. Commissioner O'Hara would like more guidance in the text that would have some indication of timeframe and how much commitment had to be behind building a project. Chairman Hinman summarized that some members of the Commission were supportive of the corridor approach with the addition of some other facets. Mr. Sullivan noted that timeframes have an additional element, in that if the City collects a fee there are certain state requirements that dictate when the City would spend that money. While the undergrounding might be opportunity-based, a development project might not be planned within that timeframe. This is a legal question that the City Attorney is helping clear up.

Commissioner Flynn is concerned with the corridor approach in that property taxes would be added for homeowners. In some cases, a homeowner would have no desire for undergrounding, but the City could still impose a fee. Also, undergrounding might not be a high priority on the City's list of capital improvement projects. With that in mind, the timeframe is very important. Commissioner O'Hara pointed out that undergrounding would only happen if a larger remodeling project were undertaken by the homeowner. Mr. Sullivan said there was no proposal to raise property taxes; this is more of a

development fee. Chairman Hinman asked if any Commissioners supported the incremental approach. Commissioner Chandorkar supported the corridor approach, in that such a project would look better and work better logistically. However, he did not want to have the family take over the burden of something they had no control over to begin with. He supported a corridor approach with an increase in the City's contribution for undergrounding.

Chairman Hinman noted that staff is working on that formula. He asked Mr. Sullivan what his next step would be. Mr. Sullivan said the conversation had been good so far. He would like to eventually get an endorsement of an alternative that has been described, or one that has not been. Chairman Hinman confirmed that the Commission was favorably inclined to the corridor approach, but recognizes that further internal review is needed to refine logistics and legal details. He asked the Commission for more comments on this agenda item.

Mr. Sullivan summarized the Microsoft letter's concerns about this element, and said staff was able to incorporate some suggestions, with others pending further discussion. He would not suggest adding more issues to the matrix on items staff has already worked into the draft documentation. Chairman Hinman recommended where there were issues pending or in work that modifications would be proposed and turned into issues for the issue table. Where staff has reached some consensus with the public comment, Chairman Hinman did not think those points were necessary to add to the issues table. Mr. Sullivan agreed to that approach as a way to handle these issues at the next study section.

On the Energy section, Chairman Hinman made some edits that Mr. Sullivan said could be incorporated in the final version of the draft with some highlights, which the Commission has done before. Mr. Sullivan and Chairman Hinman agreed to handle those edits in that way for the next study session. Commissioner Flynn had a concern in the Energy section, the proposed 19, which requires energy audits when transferring building ownership. He asked about the basis for this requirement, and noted that the market would dictate this type of action. Chairman Hinman said he would put that on the issues matrix. Commissioner O'Hara brought up a concern over some language about America's energy usage; that language will be deleted in the next draft, said Chairman Hinman. The Commission took a brief break at this time.

**STUDY SESSION, Parks, Arts, Recreation, Culture & Conservation (PARCC) Element, 2010-2011 Comprehensive Plan Update**, presented by Carolyn Hope, Betty Sanders, City of Redmond Parks Department.

Commissioner O'Hara took the lead on this agenda item. Ms. Hope introduced herself, staff member Betty Sanders, and Mary Bourguignon, who is the Chair of the Parks and Trails Commission. The idea is to update the PARCC Element to reflect changes in the PARCC Plan and the City's focus on sustainability, urban centers, and health:

1. The visioning statement has been enhanced to make sure it reflects the PARCC Plan
2. Key policies would be made stronger to reflect the initiatives of sustainability, urban centers, and health.
3. New policies would be added to reflect the vision of the Parks Department.
4. Repetitiveness would be reduced in the policies.
5. The organization of the policies would be clarified.

Ms. Bourguignon spoke to the vision issue and asked staff to be thoughtful about what the community has been asking for. She wanted to make sure there were recreational opportunities within

walking distance of every resident, such that the Parks system would contribute to a high quality of life in the City. Collaboration with other cities and the local school district would be a key to this, as well.

Ms. Hope noted several new key policies proposed, including the following:

1. To provide opportunities to improve health by encouraging use of the Parks & Recreation facilities and trails and encouraging participation in recreation and educational programs. This would be a promotion of City facilities, and promotion of healthy well-being of City residents.
2. To encourage conservation and sustainability by preservation of significant natural resource areas, protection of natural resources, and sustainable design and construction of new and renovated facilities within the Parks, Trails, and Recreation System. Several sustainable improvements have been made to local parks, including Grass Lawn Park, as Ms. Hope showed the Commission. Chairman Hinman noted that the Commission may have more questions about pesticide practices, which were discussed earlier in the meeting.
3. Ensure a community inspired and connected by arts and culture through the City Arts Program. Arts and Recreation have been incorporated into the new policies.
4. The fourth new policy, presented by Ms. Sanders, is to integrate art in landscape design from the onset of facility planning to create dynamic and interesting public places. This is different than previous public art policy, when the City would seek out an artist after the design process started.
5. The City will develop signature parks in the Downtown and Overlake Village that serve as a destination for the entire City and can accommodate events, informal gatherings, and public art. Ms. Sanders noted that some progress has already been made toward this policy.
6. The City will acquire land and develop parks in areas that are experiencing or expected to have significant growth, such as Downtown and Overlake Village, or other areas identified as having a deficiency. Ms. Sanders said the City owns land in some of these areas, such as the southeast, for example, where the population is growing significantly.
7. The City will partner with businesses and community organizations to provide programming and events that are consistent with the values of the City. Ms. Sanders noted that the word *values* might be replaced with a word more like *vision*, to improve clarity.
8. The City will emphasize the historic resources within the Parks system through educational and hands-on recreational opportunities. There are several Redmond parks that are old farmsteads or that have old structures on them. The idea is to maintain those older buildings and provide for interaction with them.

Ms. Sanders said the proposed amendments are intended to streamline the Element and reduce repeated policies. The number of policies has been reduced from 75 to 51 by deleting three entirely, adding seven, and combining 29 others. The area where the Parks Department saw the most redundancies was in open space and natural areas and acquisitions. The City owns quite a bit of land, so acquisition is less of an issue than development. Finally, there has been an overall layout change that Ms. Sanders said should flow much better.

The policies proposed for deletion include PR-12, regarding the development of smaller local parks in the City, or pocket parks. These have been integrated into the Neighborhood Park category. These small parks do not get used much, and are difficult to maintain. The next deleted policy, PR-24, refers to the development of special purpose recreation facilities, and names ice arenas and golf courses, which the City is not truly looking into. Pools are named in this policy as well, but the City is pursuing those in other ways. Policy PR-50 refers to equestrian trails with too much detail for a policy document. These standards are also written in detail in the new trail design standards in the PARCC

Plan. A chart has also been added that shows the level of park and trail needs from the years 2016 to 2030. Park acreage by 2030 will be increased by 29%. Trail mileage will be increased by 55%, if the City meets its level of service requirements. More sports fields will be required too, which may involve partnerships with King County and the school district.

Commissioner O'Hara raised an informational issue about the percentage of increase for park property and trails, which he noted had just been addressed. He asked another informational question about PR-72, regarding developing long-term strategies with King County. He noted that Marymoor Park would be an example of a County park adjacent to Redmond. Ms. Hope pointed out there were other County parks that the City might acquire in the near future. Commissioner O'Hara supported Ms. Sanders' idea to replace the word *values* with *vision* in the proposed Policy 7. He clarified a difference between Policy 37 and proposed Policy 8 regarding historic properties. Ms. Sanders pointed out that Policy 8 would replace Policy 7, with the language noted above.

Commissioner Chandorkar asked about the Bear Creek area, and noted that he had recently worked with a citizens' group in that area concerned with migratory birds and salmon. He said there were recommendations for informational boards around that area that explained the activities of these animals. He asked if the Parks Department was working on those concerns. Ms. Hope said several policies deal with natural resource area protection, as well as interpretation and education. Chairman Hinman asked if staff could come back to the Commission with more information on interpretive signage. Commissioner Chandorkar also asked about park maintenance and how fertilizer and compost were used in the parks. Chairman Hinman said that was an informational question, and asked staff to provide details at the next meeting. Ms. Hope directed Commissioner Chandorkar to the policies dealing with sustainability.

Commissioner Flynn noted a typo in the introduction, which staff agreed to fix. He asked for a copy of the policies without revision marks, which staff agreed to provide. Commissioner Flynn asked about the arts facility the City has been planning, where that might be sited in Redmond, and if that is reflected in this element. Chairman Hinman would like to come back to that issue at the next meeting on this element. He added that he would like to see how the PSE power line trail would be reflected in the trails section. Commissioner O'Hara closed the element out for this evening. Chairman Hinman noted that there would be a public hearing next week on this element. The Commission thanked the staff members for their work on this topic.

**STUDY SESSION, Redmond Car Care Comprehensive Plan & Zoning Code Amendment,**  
presented by Sarah Stiteler, Senior Planner, City of Redmond Planning Department.

Ms. Stiteler presented some additional information to the Commission regarding this amendment. Chairman Hinman asked the Commission to look at Issues 2 and 8, dealing with parking, as well as Issue 9. He would also like the Commission to address more completely Issues 1 and 3, which deal with uses. Ms. Stiteler reviewed the concerns that remained over these issues after the study session and public hearing on July 13, 2011. She noted the site and area zoning to emphasize the location of the subject property and the designated area, which takes in an additional six acres. She also pointed out the location of the MP zone on Redmond Way and the zoning of properties surrounding that zone. To the south, there is BP on Redmond Way. Further south is a residential area, with R-30 and R-20 zones. The staff recommendation is to maintain the MP designation and allow additional proposed uses which include three categories: heavy consumer goods, durable consumer goods, and also consumer goods/other.

The location of the MP zone along a major arterial is very unique. This location has a traffic volume of over 39,000 vehicles per day. The staff recommendation reflects the Council's direction regarding the potential removal of land from the MP designation. The staff recommendation acknowledges the unique location of this MP zone and the amount of traffic that the area receives, so GC-type uses have been allowed. With this project, staff is concerned about additional pressure for GC kinds of uses in other zoned areas, namely the BP area to the south, along Redmond Way. The staff recommendation maintains the availability of MP land, per Council direction, de-emphasizes commercial uses, and still recognizes this unique location by allowing the sale of goods that would not compete with urban center areas. The uses proposed by staff align with the MP designation and purpose statement in the Comprehensive Plan. The requested action from staff is to recommend the overlay proposal. The applicant is interested in that proposal as recommended by staff, only with additional uses.

There are several alternatives before the Commission on this issue:

1. No action. The MP zone would stay as is.
2. Keeping the MP zoning and adding the staff recommended uses.
3. Keeping the MP zoning, adding the staff recommended uses, and adding the use of pet and animal sales and service.
4. Keeping the MP zone and adding the applicant-recommended uses.
5. Rezoning to GC, allowing all GC uses.
6. Rezoning to GC, but limiting the GC uses with a development agreement.

Ms. Stiteler provided a matrix to the Commission that showed the additional uses proposed by the applicant as well as the staff recommended uses. The matrix indicates if these uses are consistent (or not consistent) with the manufacturing park purpose statement, how they would be consistent with the goals and vision of urban centers, and how they would add additional pressure to convert to GC. The Commission has talked about various impacts from this change from traffic to noise. Ms. Stiteler noted the variety of uses that are now on the site, as well as what would be proposed by staff and the applicant, have several different impacts. A prior traffic study was not conclusive. It was difficult to see if traffic would be increased during peak hours, or if there was a steady flow of traffic during the day.

Ms. Stiteler said the most significant point here is how this project is consistent or not consistent with the City's designation policies. Staff feels the designation recommendation presented would allow some new uses in a way that is consistent with the language for Manufacturing Park areas. The Zoning Code does not only deal with impacts: that would create a strict performance-based code. Rather, the Zoning Code and Comprehensive Plan are based on the goals and vision of the community. For determining proper land uses, staff relies heavily on statements in the Comprehensive Plan. Staff analysis shows that as more uses are allowed, as the applicant has proposed, the impacts of those kinds of uses become cumulative and put more pressure on adjacent areas to rezone as well.

Chairman Hinman asked the Commissioners for input on the uses considered and the impact of those uses. Ms. Stiteler noted that some administrative uses were currently allowed in MP, such as corporate headquarters or regional offices associated with other MP uses. Those other uses do not have to be onsite, but must be located somewhere in the City. Commissioner Chandorkar said he is having a difficult time with this issue, in that he understands the importance of sticking to the Comprehensive Plan, but he also said the Plan is changing, and the City's overall vision is evolving as well. He was

concerned about this project encouraging other applicants to push for re-zoning, as staff had mentioned. He was leaning in favor of the staff recommendation.

Commissioner Gregory thanked Ms. Stiteler for her work, and said he was sympathetic to the applicant regarding his desires for this property. However, he posed a question: does the Commission have a job to protect the integrity of the designation policies, or deal with individual projects. He reminded the Commission members they were representing the City as a whole rather than voting up or down on any particular project. He was also leaning toward staff's recommendation with the thought that pet sales might be consistent with the MP purpose statement. He was not in favor of adding the other uses proposed by the applicant.

Commissioner O'Hara said he worried that the choice may be between having a great Comprehensive Plan and having buildings that stay vacant. Some land uses in the MP designation might not be economically viable. Commissioner O'Hara said he was still unconvinced that the additional uses proposed by the applicant would cause any kind of problem. He was in favor of keeping the MP zoning and adding the overlay uses proposed by the applicant.

Commissioner Flynn agreed with Commissioner O'Hara. He said the City and the applicant do not benefit from having empty space. He noted that the site is unique, on a busy street, and it has changed quite a bit since it was designated as MP. Commissioner Flynn said the area has evolved into an area that should have more GC uses, as more people now live in homes in that area. He said it would be more sustainable to have GC services near those people. Commissioner Flynn is not convinced that traffic would be a great issue with the uses proposed. He noted that the interest by staff to add GC uses is an indication that staff does not think MP is a functional designation for that site. He would like to make this a useful piece of property for business while also providing services to southeast Redmond.

Chairman Hinman summarized that the Commission would not like to keep the MP designation as is. The staff recommendations, or staff recommendations with one additional use, would be an alternative. Going with the applicant's recommendations would be a second alternative, and a third would be to rezone the area to GC, which Chairman Hinman believed would be a drastic move. Chairman Hinman noted there were two Commissioners who were supportive of the MP zoning with the applicant's proposed uses; two are more inclined to go with the staff recommendation. Chairman Hinman said the cumulative weight of the number of uses proposed takes the plug out of the bottle for the BP uses to the south of the site. He supported the modified staff recommendation rather than completely opening the door to the full range of uses requested by the applicant. He did not think there was any distinction between that range of uses, once small offices were considered. Considering the Commissioners' previous comments as a straw vote, Chairman Hinman noted that the staff recommendation was the favored course.

Commissioner Gregory suggested that for the benefit of the applicant that the Commission could take a vote on the applicant's request. Chairman Hinman asked for input on Alternative 4, noted above, which indicates the applicant's request for additional uses beyond those recommended by staff. Alternative 2 or 3, which Chairman Hinman lumped together as one, indicated the staff recommendations.

**MOTION** by Commissioner Gregory for the Commission to consider Alternative 4, to keep MP zoning and add the applicant-requested uses. Seconded by Commissioner O'Hara.

ROLL CALL VOTE: Commissioner Flynn, aye; Commissioner O'Hara, aye; Commissioner Gregory, nay; Chairman Hinman, nay; Commissioner Chandorkar, nay. VOTE TOTAL: Two ayes, three nays. Motion not approved.

MOTION by Commissioner O'Hara for the Commission to consider Alternative 3, to keep MP zoning and add the staff recommended uses, with the addition of the use of pet and animal sales and service. Seconded by Commissioner Gregory. Commissioner Flynn confirmed that the applicant's alternative had been voted down by the Commission, and the alternative on the table was the staff recommendation plus the additional use. ROLL CALL VOTE: Commissioner Flynn, nay; Commissioner O'Hara, aye; Commissioner Gregory, aye; Chairman Hinman, aye; Commissioner Chandorkar, aye. VOTE TOTAL: Four ayes, one nay. Motion approved.

Chairman Hinman summarized that the recommendation of the Commission would be to go with Alternative 3, the staff recommendation with the one additional use. There were still some open issue items, which might be moot, but Chairman Hinman covered them regardless. Issue 1, about land use, was closed based on the previous votes. Issue 2, on trip generation, has been inconclusive and was closed. Issue 3, on types of land uses and possible competition, was closed based on the previous votes. Issues 4, 5, 6, and 7 have been closed. Issue 8, regarding parking, was covered by the applicant during items from the audience. The issue was closed, as parking was consistent with the uses recommended. Issue 9, potential impact on businesses was closed based on the previous votes. That formally closed the issue matrix and, by virtue of the vote, concludes the Planning Commission's decision on this item. No additional vote was required, and the agenda item was closed. The public hearing for written comments was closed.

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

Chairman Hinman noted there was a public meeting tomorrow regarding the Transportation Master Plan. On August 3<sup>rd</sup>, there is a public meeting on small animal husbandry. Chairman Hinman thanked the Commission for their efforts this evening.

#### **ADJOURN**

Chairman Hinman adjourned the meeting at approximately 9:48 p.m.

Minutes Approved On:

Planning Commission Chair