

Exhibit D - Planning Commission Meeting Minutes

REDMOND PLANNING COMMISSION MINUTES

June 24, 2015

COMMISSIONERS PRESENT: Commissioners Murray, Miller, Haverkamp,
Captain

COMMISSIONERS EXCUSED: Chairman O'Hara, Vice Chairman Biethan

STAFF PRESENT: Jeff Churchill, Kim Dietz, Sarah Stiteler, Redmond
Planning Department

RECORDING SECRETARY: Lady of Letters, Inc.

CALL TO ORDER

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

APPROVAL OF THE AGENDA:

There were no changes to the agenda.

ITEMS FROM THE AUDIENCE:

There were no items from the audience.

APPROVAL OF MEETING SUMMARY:

MOTION by Commissioner Captain to approve the meeting summary of the June 10, 2015 meeting. MOTION seconded by Commissioner Miller. MOTION approved unanimously (4-0).

Public Hearing and Study Session, 2015 Comprehensive Plan and Zoning Code Plan Miscellaneous Amendments, presented by Jeff Churchill, City of Redmond Planning Department.

Acting Chairman Murray noted that the oral and written public hearing on this topic would be extended to July 8 in order to give Commissioner Miller and other community members a chance to give their input. Mr. Churchill reviewed the proposal, and noted that the Redmond Zoning Code was adopted in 2011 after an extensive rewrite process. Since that time, various amendments from customers and staff have been reviewed by the Planning Commission and the City Council as an ongoing effort to improve the clarity and accuracy of the code. The last rewrite of the Code happened in October of 2013.

In general, the package of amendments contains one small Comprehensive Plan amendment and a number of Zoning Code amendments that are aimed at clarity, user friendliness, and the implementation of provisions of the Transportation Master Plan that were adopted in 2013. The proposal would also make some minor zoning map amendments to address some boundary alignment issues. In general, the amendments

incorporate administrative interpretations, update the Code to make it consistent with changes in state law, and take account of current conditions. The hope is that the Planning Commission would make recommendations on these amendments July 8 and the City Council would review the package in August and September of 2015.

Acting Chairman Murray opened the public hearing. Matt Perkins, representing Quadrant Homes, was first to testify. His address is 14725 SE 36th Street, Suite 200, Bellevue, WA 98006. He addressed the proposed revisions to the City's attached dwelling unit provisions, which are in the Zoning Code 21.08.260. Staff has said these amendments are necessary because current code is not consistent with the City's Comprehensive Plan. Staff first identified this inconsistency a few weeks ago, Mr. Perkins believes, and he said these amendments are being rushed to adoption. His review of the Comprehensive Plan policies indicates to him that the proposed Code changes would be inconsistent with the Comprehensive Plan.

Mr. Perkins has difficulty understanding the urgency behind making these changes. The current Code has been in place for several years and has produced a variety of high-quality, well-designed homes to add to the City's housing stock. Mr. Perkins urged the Planning Commission to slow down and take a comprehensive review of the proposed regulations to understand how they would impact City growth targets and the concept of creating a diverse array of home types. Mr. Perkins said there could be impacts on home builders and potential buyers, as well.

Acting Chairman Murray asked if Mr. Perkins had sat down with staff on these issues. Mr. Perkins said his group has spoken with staff, but not in great detail. Commissioner Miller asked why Mr. Perkins thought these amendments would be more serious than administrative housekeeping. Mr. Perkins said the Comprehensive Plan speaks to encouraging a diverse number of housing types, and by limiting where attached dwelling units can be located, that could limit the Comprehensive Plan.

Acting Chairman Murray concluded the public testimony for this meeting and continued the public hearing to July 8. The Commission moved into a study session. Mr. Churchill noted that there was a proposal to revise affordable housing provisions for the Overlake Urban Center. The Center currently has a provision where there is an exemption for the first 100 units of housing that otherwise would be required to be affordable. The proposal would remove that provision. Two projects are at different stages in that area, and the people involved in those projects would like to testify to the Planning Commission. They are not able to be at the meeting tonight. Staff will work with those parties going forward.

Mr. Churchill noted that the issue brought up by Mr. Perkins was number one on the issues matrix. There are three separate provisions that were omitted in the Code rewrite of 2011. One of them is about interspersing attached dwelling units with other kinds of units. The other is about density provisions for attached dwelling units. The third is about whether attached dwelling units are allowed in the North Redmond Wedge Sub-Area. The Neighborhood Plan for North Redmond has a policy, N-NR-45, which speaks about attached dwelling units.

That policy allows for the construction of attached dwelling units, also known as multiplex homes, which includes duplexes, triplexes, and four-plexes, in the single-family urban zones with the exception of the Wedge Sub-Area to preserve mature trees, create new open space areas, establish neighborhood connectivity, and protect natural resources. The policy would ensure that multiplex units are interspersed with a variety of other housing types, thus avoiding the location of attached units adjacent to each other. That provision was codified, and what it said in the Redmond Community Development Guide between 2006-2011 was that duplexes, triplexes, and four-plexes are an allowed use on individual lots in locations designated as single-family urban in North Redmond neighborhood, provided that units are interspersed with a variety of other housing types and sizes.

The policy also deals with density, and the idea is that in some neighborhoods, the Neighborhood Plan allowed certain attached dwelling units to be built on lot sizes that are smaller than otherwise would be allowed to encourage large lot infill in developed neighborhoods. That was not allowed in the North Redmond Neighborhood Plan, but that provision was lost in the Code rewrite. So, the City is proposing to re-establish that and respect the density limits and the zoning when attached dwelling units are involved in North Redmond and some other neighborhoods as well.

Acting Chairman Murray clarified that the recommendations of the North Redmond Neighborhood Plan were codified and approved by City Council. Mr. Churchill noted that those provisions were lost in the drafting of the new Code, and this was discovered a few weeks ago. The reason to bring this forward is that this provision is in the Neighborhood Plan but was lost in the Code rewrite. The idea to have the Code reflect what is in the Neighborhood Plan. Acting Chairman Murray said this was not an issue for the Commission to debate, but instead a decision to support what should have been written in the Code all along. Commissioner Miller and the rest of the Commission agreed. Commissioner Miller said that Mr. Perkins' points are valid, but they would be better discussed in a neighborhood forum. Acting Chairman Murray asked staff to send a message back to Mr. Perkins that if he wished to change that part of the Code, he should work through the Neighborhood Plan. The Commission agreed to close Issue One.

Issue Two on the matrix was to clarify special requirements for professional services and other uses in the MP Zone. Mr. Churchill noted that "professional services" is defined as a use that requires a high degree of professional, scientific, or technical expertise and training. The purpose of this amendment was to note that in the manufacturing park zone, manufacturing is allowed, as well as professional services that would support an allowed use in the MP zone. Acting Chairman Murray said this issue was resolved for him. Commissioner Miller asked how this would be enforced by the City. Mr. Churchill said he would bring back some examples. Acting Chairman Murray closed this issue.

Issue Three on the matrix was to clarify the definition of full service hotel and conference center and related provisions. Commissioner Biethan had asked about this issue, and he wanted a clear standard for measurement. The Fire Marshal has helped staff add in the

phrase “occupant load,” a measurement that can change depending on the use of the room, meaning people sitting or standing, for example.

Commissioner Miller had an issue about parking for conference centers and parks. He said the measurement concept was based on peak capacity, and when that is used to determine parking lot sizes, larger lots are built that remain empty for the better part of the year. Commissioner Miller would like to find other parking requirements to apply to parks and conference centers and would like an alternative based on square footage. He wanted to make sure the Commission was applying the Transportation Master Plan, as interpreted through the Zoning Code, as a way to support efforts of sustainability and efficiency. He would like more alternatives for parking. Acting Chairman Murray closed Issues One, Two, and Three on the matrix and introduced Commissioner Miller’s concern about parking capacity as Issue Four, which would be discussed on July 8.

Old Town Historic Core Overlay and Zoning Code Amendment - Overlay and Associated Design Standards and Gilman Street Amendment to the Downtown Pedestrian Map, presented by Kim Dietz and Sarah Stiteler, City of Redmond Planning Department.

Ms. Dietz spoke about the timing and methodology for reviewing the changes proposed to the Historic Core and the criteria by which the Commission will review those changes. She has consulted the Design Review Board (DRB) regarding proposed concepts for updates to the design standards portion of the Zoning Code, and incorporated their perspective in the proposed amendments for Planning Commission review. She also said she would present options for the Commission to consider this information and make decisions about it.

This set of proposed updates includes amendments to the Comprehensive Plan and the Zoning Code; included among the proposed code amendments are updates to design standards, Sign Code, and the Pedestrian System Map, including along Gilman Street. The Historic Core is proposed as a part of the Old Town Zone within Downtown. Existing conditions include historic and landmark buildings such as the Brad Best or Redmond State Bank Building, which is a landmark. Brick buildings are common in this area. Other materials, such as the Stone House, include a lot of river rock. The oldest structure Downtown is the Judge White House, which is located on Redmond Town Center property. The Elan Building is adjacent to the Historic Core and echoes some design standards of the Core.

Staff says the Comprehensive Plan and current Zoning Code provides a vision and design intent for this area, which includes a village character, small blocks, narrow sidewalks, a pedestrian area, and pedestrian-oriented architecture. Staff first focused on determining what design elements make sense for development in this area such that new structures would fit in with the character of the Historic Core. Staff has asked designers, developers, and investors about what elements make a project successful. Issues regarding height, massing and stepbacks will be discussed at a subsequent meeting. Tripartite architecture is something the DRB supports, and can apply to something that is modern or historic.

This creates a timeless architecture for a building such that it would not become outdated and would age gracefully.

The building envelope in the Core is limited by the area in which a structure is placed. Ms. Dietz explained tripartite design, meaning a building base, middle, and a cap. The base features a distinctive platform, the cap makes a statement and terminates the building, and the middle creates a balance of design. The materials used on the building, the streetscape, and signs impact the design as well. Commissioner Haverkamp asked how tripartite architecture was different than other architecture. Ms. Dietz showed examples of different architecture to illustrate different designs.

Commissioner Miller asked about the Elan building and how it respected the Historic Core. Ms. Dietz said the colors and windows of the Elan were able to accomplish this. Acting Chairman Murray pointed out that the sidewalks around the Elan were not narrow, however. He asked where narrow sidewalks would be retained, and Ms. Dietz noted that Leary is proposed to remain at largely the current sidewalk width. Acting Chairman Murray asked for clear rationale on which sidewalks would be narrow and which would not. Ms. Dietz noted that the sidewalk plan for Gilman was still in flux.

Ms. Dietz continued that staff is not proposing a lot of changes to the Comprehensive Plan, but there is a need to recognize the Historic Core in the Plan. The Core is proposed to be an overlay within the Old Town area. Acting Chairman Murray asked if there was a historic core in the Overlake Area. Ms. Dietz said she did not think any historic buildings were in that area, but there are some older properties that may be historic in its north portion. Acting Chairman Murray said that if the language said that the City was recognizing a historic core in the urban centers, plural, then that might mean there are historic cores in other centers such as Overlake. Ms. Dietz clarified that this would be the Downtown section of the Urban Centers element in the Comprehensive Plan.

The Historic Core overlay maintains the allowed uses of the Old Town Zone. Proposed updates to the design standards do include some substantial changes. There are proposals for some new pedestrian linkages and a change for Gilman Street. The proposed amendments also relate to Downtown park. The new park Downtown was just a concept a short time ago, and staff wants to make sure it is recognized. The park is not in the Historic Core, but immediately adjacent to it. No changes for the City's landmarking program have been proposed, nor are there any additional landmarks proposed through this amendment action. This proposal involves design standards and associated code dealing with new construction.

Design standard principles have been developed with the help of the consulting group Makers and the City Council. These will be used to guide updates to design standards for the Historic Core as well as the rest of the Redmond. The Comprehensive Plan has been consulted to make sure the proposals are consistent with current policies. Acting Chairman Murray asked for a hard copy of the principles from staff to help keep the discussion on track. The Planning Commission's review and discussion schedule is proposed to include seven meetings on these amendments. Staff proposes to begin with

tripartite design and move to more specific topics. The public hearing will occur on the first round of proposals starting July 15 and continue through August 5, when the next round of proposals, including massing, height, and stepbacks will be addressed. There is a possibility to keep the hearing open for written testimony on August 12. Acting Chairman Murray said he would be out of the country August 12 and 19, but Chairman O'Hara would run those meetings in his stead.

Ms. Dietz said breaking up the proposal into chunks will help the Commission's review of and discussion on the individual issues. Ms. Dietz described two alternative approaches that might be used during the Commission's meetings to support the Commission's consideration and discussion regarding the proposed amendments. One approach is to present the intent and visual examples of appropriate and inappropriate implementation for each design standard or other topic. This concept would involve limited text and more pictures. The other alternative would be to step through the Code section by section. The design criteria make up the meat of the Code and tell developers what they shall, should, and can do, and also identify incentives. Illustrations and photos will help determine how the Code is properly expressed in construction.

Ms. Dietz showed the Commission how the "visual by topic" discussion might look and feel versus the idea of working through all the verbiage of the Code intent in the meeting. The Commission has identified four criteria including the ten design standard principles to use in its work and will use them to see how the different proposals fit with the Downtown character, how they impact mobility, and balancing community and property owner interests.

Acting Chairman Murray asked if the Commissioners would prefer the visual by topic discussion or a discussion with more verbiage. Commissioner Haverkamp said she was concerned about not having all the Code language to make sure it would match with the photos and illustrations. Commissioner Captain would like that, too, but he was concerned about taking in too much information. He said he was comfortable with the visual by topic discussion. Commissioner Miller would like to know how these proposals relate to best practices, the Comprehensive Plan, and the Transportation Master Plan. Commissioner Miller was looking for a presentation that would explain that relationship. He did not want to scrimp on this point, as he wanted to make sure the Commission was consistent with its policies.

Ms. Stiteler said the Code language would be in Commissioners' packets, but in the presentation, the photos could be the main part of the presentation. Acting Chairman Murray said that was a good compromise. Ms. Dietz said the design criteria would be available as well as a visual tool, even with a more streamlined visual presentation. Acting Chairman Murray said that would be good way to ensure that the Commission's decisions are consistent with City policy. Commissioner Haverkamp asked for more detail on existing code conditions in comparison with the changes proposed, such as in the case of on-street parking or sidewalk width. Acting Chairman Murray asked staff for a visual presentation that would be as comprehensive as possible and present images of what was desired versus what was not desired.

Ms. Dietz noted that staff consulted the DRB on concepts for updates to the design standards portion of the Zoning Code, and staff will share this information to the Commission through a memo that includes the DRB's recommendations on one side of the page compared to the new proposal on the other side. Acting Chairman Murray complimented Ms. Dietz and other staff on finding a way to present this material and said this would be a helpful way to present information now and in the future. The Commission will receive the Technical Committee report on June 26, and Ms. Dietz asked the Commission to review this before the July 8 meeting. Any questions should come in before July 5. The opening of the public hearing will be July 15. The Commission agreed with the scheduling ahead.

REPORTS/SCHEDULING/TOPICS FOR NEXT MEETING(S):

Ms. Stiteler said the continuation of this meeting's public hearing on July 8 had been established. There is no meeting on July 1.

ADJOURNMENT:

MOTION by Commissioner Miller to adjourn. MOTION seconded by Commissioner Haverkamp. MOTION approved unanimously (4-0). The meeting adjourned at approximately 8:02 p.m.

Minutes Approved On:

Planning Commission Chair

22 JULY 2015



**REDMOND PLANNING COMMISSION
MINUTES**

August 5, 2015

COMMISSIONERS PRESENT: Chairman O'Hara, Commissioners Murray, Haverkamp, Captain

COMMISSIONERS EXCUSED: Vice Chairman Biethan, Commissioner Miller

STAFF PRESENT: Judy Fani, Cathy Beam, Lori Peckol, Kim Dietz, Sarah Stiteler, Redmond Planning Department

RECORDING SECRETARY: Lady of Letters, Inc.

CALL TO ORDER

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

APPROVAL OF THE AGENDA:

There were no changes to the agenda.

ITEMS FROM THE AUDIENCE:

There were no items from the audience.

APPROVAL OF MEETING MINUTES:

MOTION by Commissioner Murray to approve the meeting minutes of the July 15, 2015 meeting. MOTION seconded by Commissioner Haverkamp. MOTION approved unanimously (4-0).

Planning Commission Report Approval, Scope of 2015-16 Comprehensive Plan Amendment Docket, presented by Judy Fani, City of Redmond Planning Department.

Chairman O'Hara noted that there were no open items for this topic and called for a motion.

MOTION by Commissioner Captain to recommend the Scope of 2015-16 Comprehensive Plan Amendment Docket. MOTION seconded by Commissioner Haverkamp. MOTION approved (4-0).

Public Hearing and Study Session, 2015 Comprehensive Plan and Zoning Code Miscellaneous Amendments, presented by Cathy Beam, City of Redmond Planning Department.

Chairman O'Hara opened the public hearing. Ms. Beam gave a review of the topic to the public and to the Commission. She noted that the Redmond Zoning Code was adopted in April of 2011 and the last set of updates to it was in October of 2013. There is an ongoing

effort to bring forth items to the Commission to improve clarity and accuracy in the Code, eliminate Code inconsistencies, and update the Code based on changing conditions. The 2015 packet was introduced to the Commission in June of 2015. There was a public hearing on June 24. After that, some additional amendments were identified by other staff members, which were included in the staff recommended packet. This prompted a second public hearing, which is the focus of this evening's meeting.

There are five issues for which staff proposes amendments. The first is restoring two to four-unit townhome structures as a permitted use in Downtown. The second issue is the timing for requiring affordable housing agreements for plats prior to final plat approval. The third issue is an update in Redmond's Code based on the Washington Administrative Code (WAC) citation in the State Environmental Policy Act (SEPA). Finally, staff would like to clarify the ability for an applicant to use a site plan entitlement process for attached dwellings in zones other than single family residential and to clarify extraordinary notice requirements.

The first item, restoring the permitted use of townhome structures Downtown, is a Code rewrite oversight. When the update to the Code occurred, this was inadvertently left out. The definition of a townhome was eliminated in the Zoning Code due to overlapping definitions. Staff believes it is important to reinstate this definition in the Zoning Code particularly because East Hill and Bear Creek are adjacent to single-family zones. The majority of lots in these areas are smaller, and in order to build in density, townhomes would be a good option. Staff is recommending allowing for duplexes, triplexes, quadplexes, and townhome structures Downtown.

The second issue deals with the timing for recording affordable housing agreements. Currently, the City requires these agreements to be recorded prior to a building permit approval. This has become challenging in subdivisions, because the final plat approval triggers the ability to commence construction. There is a potential that lots within a subdivision could be sold off. Requiring the affordable housing agreement to be recorded final to plat approval clarifies the process and procedure, gives predictability to the developer, and ensures that the City's affordability requirements are met.

The third issue is about updating the WAC citations. In the SEPA chapter of Redmond's Zoning Code, there are specific WAC exemptions that are not applicable in critical areas. For instance, short plats are exempt from SEPA. However, if there are critical areas on a site, they need to go through the SEPA process. There are specific, minor exemptions that the City allows regardless of critical areas onsite. These deal with minor maintenance and repair. The WAC citations were updated a year or two ago, and the City did not catch that when staff brought through the SEPA related code amendments update a year ago. Staff simply wants to change the numbering to reflect the current numbering sequence system in the WAC.

The fourth item deals with the use of the site plan entitlement process for attached dwelling units. Staff believes this would help provide Code clarity and is recommending that site plan entitlement be used in non-single-family zones. Staff believes this will help

achieve the intended character and density of the multifamily mixed-use zones. Development applications for attached dwellings in single-family- zones are process through the subdivision process currently, and they will continue to be processed through that process. If it is a preliminary plat with more than 10 lots, it will go through the Technical Committee for a recommendation and on to the Hearing Examiner for a decision. The site plan entitlement process is an administrative approval that involves- the Technical Committee and the Design Review Board.

The update recommended by staff would allow attached dwellings to continue to be reviewed and decided on through the site plan entitlement process versus a subdivision process. This would be specific to multifamily and mixed-use zones.

The next item is regarding the clarification of extraordinary notice. This was a Code rewrite oversight. In the Code, extraordinary notice is required, using the commonly-seen large white signs, on projects that involve major land use actions. The signs are required to be put up 21 days prior to a hearing. The process is to always put them up for preliminary plat hearings. The former Development Guide had this requirement, but the current Zoning Code does not have this requirement for preliminary plats. This requirement was not meant to be removed. Staff is simply recommending that the language of the Code should be amended to require extraordinary notice for preliminary plats.

Ms. Beam noted that there was an item to be revisited in the affordable housing waiver provision in Overlake. This is item 9 from the May 29 Technical Committee report, and the staff recommendation was to eliminate the exemption for the first 100 units of affordable housing. The Code allows a waiver of up to 25 units per development site. Staff is recommending this for a few reasons. Overlake is an attractive area for investment and requiring affordable housing has not been a deterrent to building in the area.. Developers are familiar with Redmond's affordable housing requirement, which has been in place for over 20 years. Property owners and developers in Overlake have given staff some feedback regarding the proposed amendment, and thus, this issue has been re-evaluated. There was concern about this provision being eliminated. Staff is recommending keeping the provision for a little more than a year. The provision would phase out on the date of December 31, 2016. Chairman O'Hara asked if there were any new questions from the Commission on these topics. Finding none, he proceeded to the public hearing.

Sam Rodabough was first to testify. He is a real estate and land use attorney at 10900 NE 4th Street, Suite 2300, in Bellevue, Washington. He and his co-counsel, Bill Williamson, represent KCC Limited Edition Owner's Association, also known as KCCLE. A letter has been included on behalf of Mr. Williamson, who could not be at this meeting. Mr. Rodabough noted that KCCLE and its members own an existing commercial office campus consisting of 9.2 acres and 19 platted lots in the Overlake Village sub-area. In 2007, to incentivize redevelopment, the City Council adopted a partial waiver of affordable housing requirements now codified in RZC 21.20.030.H1B. On March 18, 2014, the City Council adopted Ordinance 2733, which retained that incentive.

KCCLE and its member owners are applicants for a master plan and development agreement which is pending City approval. Mr. Rodabough noted that his clients have worked to obtain approval for this plan for well over three years, and are optimistic that approval will happen in the next few months. Over the three years, the applicants have relied on the existing affordable housing incentive in order to attract developer buyers. A year after the City Council retained that affordable housing waiver, now City staff is recommending eliminating it. The rationale for what Mr. Rodabough believes is a drastic policy change is contained in the Technical Committee report, and it does not appear that there were any studies done by City staff to support this change in policy and its potential impacts to pending master plan and development agreement applications.

Mr. Rodabough's clients have taken the position that until studies are undertaken by City staff and meetings are held with the development community, any consideration of such a drastic change in policy is simply premature. He is asking the Commission to decline to forward any recommendation to the Council or to make a negative recommendation to the Council in regard to the affordable housing waiver. Mr. Rodabough said his clients were blindsided by this proposal from City staff. On June 10, 2015, his clients participated in an all-day meeting with City staff in what was believed to be one of the final meetings with the City regarding the master plan and development agreement. Not once during that all-day meeting was the potential for a change in policy in this critical incentive ever mentioned.

Mr. Rodabough said if the Commission was intent on forwarding this matter to the Council with a positive recommendation, at the very least, he was requesting that some amendment be added that would exempt his clients' master plan and development agreement from this change in policy. His clients have relied on this existing policy during the last three years in working with City staff. Phase one of the development will include market rate multifamily housing, which is an important introductory anchor component for a development of this scale. Mr. Rodabough is asking the Commission to provide a negative recommendation on this issue, or, if it is forwarded with a positive recommendation, to make some change to accommodate his clients' longstanding reliance on this existing policy.

Chairman O'Hara asked Ms. Beam about the application process and if the old rules or newly amended rules would apply to Mr. Rodabough's project. Ms. Beam said she was not clear on the development agreement in question. Ms. Peckol noted that the draft development agreement referred to in the public testimony specifically exempts this provision from vesting. That is part of the draft language of the agreement. There are typically provisions for vesting prior development agreements, but this provision is exempted. The principle behind it is this waiver is intended to be used for developments that would be built in the near term. The applicants have indicated previously that they did not expect this property to be redeveloped soon. The hope was to get the master plan and development agreement together for future development.

The draft language in the development agreement defines the conditions for use of the waiver, including that it would be dependent on if there were still waivers available at the time of building permit application. The size of the phase would be involved as well because the concept for this particular property is that development would be phased in over time. The size of the phase would need to be compared to any waivers that would still be left. While there is potential for those eventualities as part of the development agreement, that would depend on whether there are any waivers still available at the time the agreement moves forward. Other applicants could move forward and use those waivers before the development in question would be accomplished. That is why, from staff's perspective, this change to the Code would not have a significant impact on the property noted in the testimony.

Chairman O'Hara said he was not clear on the concept of a pool of waivers. Ms. Peckol noted that the provision within the Overlake Neighborhood Plan Update that the City Council adopted in 2007 said that there could be a maximum of 25 waivers of required affordable housing units per development site up to a total of 100 affordable units. Redmond's Code requires that there is a minimum of 10 percent of homes affordable to households at 80 percent or less of the Average Median Income (AMI). In Overlake, if a theoretical housing development included 100 units, ten affordable homes would be required. The project could qualify for a waiver. For a development of 250 units, there would be a requirement for 25 affordable units. For a 500-unit development, there would still be a maximum of 25 waivers possible for the site.

Commissioner Murray reiterated that the testimony stated that the developers were reliant on the 25 waiver maximum. He asked, if the Code were updated as recommended by staff, whether or not the project of Mr. Rodabough's would qualify for the waiver. Ms. Beam said if a phase of it was vested before the proposed sunset date, it could qualify. Commissioner Murray asked for the rationale to eliminate the waiver. Ms. Beam said the waiver was first set in place for a pioneering development. At this stage, staff believes the market has established itself and it is not clear if the incentive is still needed considering the need for affordable housing. Commissioner Murray confirmed that if the provision were allowed to continue, fewer affordable housing units would be available. By ending this provision, for all the projects vested after it takes effect, more affordable units would be available.

Chairman O'Hara confirmed that vesting on a site plan entitlement is at the point of submittal of a complete building permit application. He asked Mr. Rodabough if his clients would submit a permit by the end of 2016. Mr. Rodabough said Mr. Williamson would have more information on that particular topic. Mr. Rodabough said he believed that deadline was not feasible. He said the project has been through some delays, including some related to turnover in City staff that his clients did not anticipate. He noted that making the deadline of December, 2016 would be tight. He said that Council's intention to have 100 waivers, based on the ordinance of 2014, would be fundamentally changed in less than a year's time with the staff recommendation.

Ms. Peckol clarified that while the Council did pass an ordinance that amended the affordable housing portion of the Zoning Code in 2014 that was not a reaffirmation of this policy. Council did not discuss this policy at that point. The ordinance was an amendment to another section of the Code. Commissioner Haverkamp asked how many units have been exempted. Ms. Peckol said 25 units have been exempted so far, with room for 75 more. Staff is aware of a pending application in for a 240-unit development which could qualify for 24 waivers.

Commissioner Murray said, with the 24 waivers, plus the 25 that have already been approved, the Commission was basically discussing 51 waivers remaining. He was in full support for affordable housing, but he noted that this proposal from staff would change the City's approach midstream and take 51 units off the table if they are not picked up in the next year or so. Commissioner Captain said he also felt the rules of the game were being changed halfway through. He said he had too little information to make a decision either way on this topic. Chairman O'Hara noted that there was more testimony.

Sandra Eisert testified next. She lives at 13315 NE 77th Street in Redmond, 98052. She said she was in a well-established neighborhood of large lots, midcentury homes, and nice trees and gardens. She and her neighbors found out that some duplexes would be built on one half-acre lot near her home, plus an additional house. She said she knew that more people were moving to Redmond, but noted that there were no duplexes in her neighborhood. She is very concerned about this, especially because the duplex in question would go into a busy area where a middle school student was hit by a car. Changing the zoning would affect her entire neighborhood and change its look and feel.

Ms. Eisert said this would affect her neighborhood and others. She said she understood that this language had been left out of the Code by accident. The language should say, in her opinion, that if there is not enough room to build two single-family houses, a duplex cannot be built. Allowing duplexes in her neighborhood which is R6 zoning would be more like R10, or ten households on an acre. She enthusiastically supported reintroducing the language that was lost in the shuffle during that last Code rewrite. She asked the Commission to think about ways to preserve well-established neighborhoods like hers. She wanted to make sure every place in Redmond was not so dense that one could not breathe.

Kim Yates testified next. She lives at 13301 NE 75th Street near Rose Hill Middle School. She reiterated Ms. Eisert's concern about the duplexes proposed to be built near her home. She said the Code had an omission that dealt with a situation where, if a townhome is to be built in a single-family residential neighborhood, enough land must be present to subdivide and build two homes. A duplex might create more open space and allow for better stormwater drainage. She encouraged the Commission to go back to this issue and say yes to that requirement again and correct the omission currently in place.

Ms. Yates said she believed in neighborhoods where everyone can live. She supports affordable housing. She said the City should not pay lip service to affordable housing and should put things in place to make it happen. She said people who are clerks at stores, for

example, who work hard, should be able to live all over Redmond in homes with different price points. She said if the Commission did not fix the omission she noted above, a builder could come into a neighborhood, buy a small home, and build two expensive homes to make more money. She said requiring developers to have more lot space to build on would help preserve single-family neighborhoods and a sense of community. She said single-family residential is still the American dream, but that dream changes when large townhomes are built next door.

Ms. Yates encouraged the Commission to correct the omission in the Code. She said homes were going for \$500,000 in her neighborhood, but if developers were allowed to come in and build huge homes on single lots, affordable housing would be driven out of Redmond. Chairman O'Hara confirmed with Ms. Beam that the amendment before the Commission deals with just the Downtown neighborhood, not the Grass Lawn Neighborhood brought up by Ms. Yates and Ms. Eisert. Ms. Beam noted that this issue was brought up at a similar meeting, and Quadrant Homes testified about their plan to build multiple duplexes in North Redmond, and submitted a letter on June 12.

Ms. Yates came back to testify that if the omission were not corrected, the City would eliminate single-family residential altogether in Redmond, because duplexes would be allowed on every single family residential lot. She added that the City of Seattle has been talking about this issue of upzoning single-family zones, and there has been uproar in neighborhoods about that topic. Chairman O'Hara reiterated that the amendment in front of the Commission applies only to the Downtown neighborhood. Commissioner Murray noted that the proposal also includes the allowance of attached dwelling units in R30 zones because they are already allowed in R4 to R20. This would not be a change in status to R4, R6, or R10. This would only be an addition to R30. Thus, regarding the testimony just heard, the amendment would not deal with their neighborhood's zoning.

Ms. Peckol apologized for any confusion on this issue. The amendment the testimony has referred to would be to restore provisions in the Code dealing with attached homes and their allowed density. The provisions were removed accidentally, and were noted in a June 10 memo in staff. Chairman O'Hara reiterated that the idea was to restore a Code provision so that the zoning in the City would continue as it has been historically. This is not a policy change, but rather a clerical fix.

Ms. Eisert testified that people who live 500 feet from the project she mentioned earlier were notified. No one else was notified, even though they are impacted with traffic, among other issues. Twenty-six families have signed a petition noting that they were concerned about this situation, and several other people have put in public comment on this issue. She is concerned about this duplex project and how it would affect her neighborhood and her quality of life. Chairman O'Hara closed the public hearing and thanked the public for their testimony.

Commissioner Murray said he had no problem with items one through five presented by staff. He said the Commission was faced with some conundrums, including affordable housing. He noted that affordable housing was important to the Commission and

mechanisms are needed for it. He felt, however, that the amendment in question appeared to change the City's approach to affordable housing midstream. The other issue brought up by Ms. Eisert and Ms. Yates is a policy change that would involve a different process. The item the Commission is fixing is a clerical issue. The people who have testified support that item. That will take away the opportunity to create duplexes in the Grass Lawn Neighborhood, unless there is enough land for two single-family homes. Commissioner Murray confirmed that the people who testified were in support of the change proposed by staff.

Chairman O'Hara said he was of two minds on the affordable housing issue. He asked if this issue should be continued. Commissioner Murray said it would warrant further discussion. Chairman O'Hara said this issue would be continued for one week. Commissioner Captain supported that idea. Ms. Beam said this could work, with a goal to have a recommendation for the City Council on August 12.

Ms. Beam clarified that the five recommendations made by staff were supported by all the members of the Commission; the Commission concurred. On the issues matrix, there is still an issue regarding adequate parking for parks. A question was raised by Commissioner Miller about how parking is based on peak usage hours. He suggested determining parking based on typical use. Staff has discussed that concept with City transportation staff, and while this does not sound like a bad approach, defining "typical" could be difficult in terms of laying out an expectation for the public. Staff will be reviewing all of the City's parking regulations in the future.

Ms. Beam would like to leave the current recommendation regarding parking in place so it can be dealt with later in a more comprehensive way. The Technical Committee would be involved, which would involve a parking study, a transportation management plan, and a discussion regarding the purpose of a specific park. This is a complex, larger issue that will take time to discuss. Chairman O'Hara and the Commission members agreed with Ms. Beam's assessment and closed this item on the issues matrix.

Public Hearing and Study Session, Comprehensive Plan and Zoning Code Amendments for the Old Town Historic Core Overlay and for Gilman Street, presented by Kim Dietz, City of Redmond Planning Department.

Ms. Dietz proposed an extension to the public hearing on this issue. Staff has submitted some draft proposals and has heard back from some stakeholders on various aspects of the amendments proposed. Further work was requested by stakeholders about the height, massing, and setbacks proposed. Certain areas could use more review, in the opinion of stakeholders, with regard to balancing predictability and opportunities for innovation and providing clear Code language. Staff will review and follow up, with help from stakeholders, to respond to those concerns.

Ms. Dietz proposed continuing the public hearing to December 2. At that time, issues and items from stakeholders would be discussed, including refinements to height, massing, and setbacks. Other items would be added to the issues matrix about materials and

entryways, potentially. Ms. Dietz suggested that this topic would come back to the Commission on November 18 for re-orientation and re-introduction of the recommendations on height, massing, and stepbacks. Two dates would be available for public hearings. Staff anticipates the Commission may complete their review and recommendation by the end of February 2016. Staff wants to make sure stakeholders are aware of the public participation plan and the engagement with the public, so staff will meet with businesses and other stakeholders and also hold some open office hours.

MOTION by Commissioner Haverkamp to continue the public hearing for the Comprehensive Plan and Zoning Code Amendments for the Old Town Historic Core Overlay and for Gilman Street to December 2, 2015 as proposed by staff, and to remove this topic from the Commission's August agendas. MOTION seconded by Commissioner Captain. MOTION approved (4-0).

Ms. Dietz noted that anyone in the viewing audience interested in this topic should contact her and become a party of record and stakeholder in the process.

REPORTS/SCHEDULING/TOPICS FOR NEXT MEETING(S):

Ms. Stiteler noted there was no Council meeting on August 4, which was National Night Out before the Commission meeting. There were over 50 National Night Out gatherings around Redmond this year, which is an increase over last year. The Council chambers will get an upgrade to its projection system at the end of September, when the Commission will not be meeting. Ms. Stiteler said that staff was continuing to advertise for the Planning Commission vacancy. If anyone in the viewing audience is interested, she noted that there are applications available online, or an applicant can contact the Mayor's office. The application deadline is September 18.

ADJOURNMENT:

MOTION by Commissioner Murray to adjourn. MOTION seconded by Commissioner Haverkamp. MOTION approved unanimously (4-0). The meeting adjourned at approximately 8:07 p.m.

Minutes Approved On:

8/26/15

Planning Commission Chair

