

**REDMOND PLANNING COMMISSION  
MINUTES**

July 13, 2011

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

**COMMISSIONERS EXCUSED:** Commissioner Bontadelli, Julinsey and Miller

**STAFF PRESENT:** Sarah Stiteler, Kelsey Johnson, Pete Sullivan, 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 Hinman in the Council Chambers at City Hall.

**APPROVAL OF THE AGENDA:**

No changes to the agenda.

**APPROVAL OF MEETING MINUTES:**

Commissioner Flynn corrected a typo of “Redmond” from the June 8<sup>th</sup>, 2011 meeting minutes. Chairman Hinman corrected a typo regarding a “PARCC Plan,” not a “Park Plan,” as was indicated in the minutes on pages 1 and 2. Also on Page 2, Chairman Hinman made an edit after the phrase *closed the oral portion of the meeting, but left issue open for comment from Commissioners*. He asked to end the sentence after *meeting*. On Page 4, Chairman Hinman amended a phrase in the last full paragraph, *left public comment open until the next meeting, to left written public comment open until the next meeting*.

MOTION to approve the minutes from the June 8, 2011 meeting of the Planning Commission made by Commissioner O’Hara. Seconded by Commissioner Biethan. Motion approved unanimously (6-0).

**APPROVAL OF MEETING SUMMARY:**

No changes proposed to the June 15<sup>th</sup>, 2011 meeting summary. MOTION to approve the meeting summary made by Commissioner O’Hara. Motion seconded and approved unanimously (6-0).

**ITEMS FROM THE AUDIENCE:**

There were no questions or comments from the audience outside the public hearings.

**PUBLIC HEARING AND STUDY SESSION, Redmond Car Care Comprehensive Plan and Zoning Code Amendment,** presented by Sarah Stiteler, Senior Planner, City of Redmond Planning Department

Chairman Hinman opened the public hearing and asked about written comments on this issue. Ms. Stiteler noted that there was one letter, which the Commission will review. Ms. Stiteler provided a brief overview of this topic. The Commission held a first study session on the Redmond Car Care application on June 29, 2011. The request from the applicant is to change the land use designation and zoning on a property in Southeast Redmond, which is 2.58 acres and is located on Redmond Way. The

property contains the Redmond Car Care property as well as Firestone and other car repair businesses. The applicant's initial proposal was to change the zoning from Manufacturing Park, or MP, to General Commercial, GC. The Planning staff recommendation is to keep the MP designation, but to allow three additional zoning use categories. In addition, staff recommends an expansion of the area for this consideration to 8.5 acres, about six acres larger than the applicant's property. There are five existing one-story buildings on the site with a total of approximately 27,000 square feet of space. The site is adjacent to Park East and other manufacturing park uses. It is located across the street from the Whole Foods complex.

Other alternatives have been considered for this site, including the following:

1. Keeping the MP designation and no change in uses.
2. Keeping the MP designation and allowing additional uses as proposed by the applicant, which include office, professional, and finance, insurance, and real estate (FIRE).
3. Changing the zoning to General Commercial but limiting the uses.

The uses recommended by staff to be added to the MP zone in the 8.5-acre overlay area are defined by the Zoning Code as the following:

1. Heavy consumer goods, sales, rental and service,
2. Durable consumer goods, sales, rental, and service, and
3. Consumer goods, other.

As defined by the Zoning Code, heavy consumer goods include the sale of furniture, garden, and lawn and garden supplies. Durable consumer goods include apparel, appliances, paint and hardware. The consumer goods, other, is a category that contains businesses such as florists, art dealers, and art supply stores.

Staff noted the Manufacturing Park designation polices in the Comprehensive Plan. Ms. Stiteler emphasized that the areas for Manufacturing Park uses would be, for example, the storage of materials and equipment. She also emphasized that the uses in this designation would be better suited in areas outside of the Downtown or Overlake neighborhoods due to site requirements and noise impacts. The designation language in the Comprehensive Plan identifies allowed uses in MP areas as manufacturing, research and development, light industry, wholesale assembly and distribution businesses. The Plan says there should be a limitation of light office and other secondary uses to those that are supportive of allowed or primary uses. The Comprehensive Plan policy also speaks to considering allowing other limited uses, including but not limited to daycare centers and/or technical colleges.

Ms. Stiteler said the staff's recommendation to keep the Manufacturing Park designation, but add some uses, is in accordance with the Comprehensive Plan policies. She said that inclusion of the applicant's additional uses could require a change to the Comprehensive Plan policies. In the past, there was pre-existing zoning of light industrial uses on this site, which allowed for a John Deere store. The City approved a change to the zoning to a MP designation in the mid-1990s. The Planning Commission and City Council studied the City's manufacturing parks and business parks in the last few years, and as a result, the Council allowed some additional uses in those zones. However, the Council gave the direction to consider any changes to those areas very carefully, and that the additional flexibility should be for uses that had no other place to go, such as retail auto sales.

In 2010, the applicant began the process to change the zoning to General Commercial, which the Technical Committee did not support. Staff and the applicant have discussed alternatives. This

application has now come to the Planning Commission. In general, the uses that are typically GC uses have a higher trip generation rate for the P.M. weekday hours. The peak hours for trips are generally between 4 P.M. and 6 P.M. Some uses proposed for this site have higher trip generation, and some have lower, which staff said is therefore relatively inconclusive. Staff said that MP zoning in this location is along an arterial, a unique spot for an MP designation. This is one of the busiest arterials in the City, with more than 39,000 trips per day. For that reason, staff has considered other uses beyond traditional MP uses and has proposed some added flexibility. The area proposed is a limited area of 8.5 acres, and it is along Redmond Way as well as 180<sup>th</sup> Avenue NE and NE 68<sup>th</sup>. Ms. Stiteler again noted the Council direction about carefully reviewing any change from MP. She expressed concern about where the boundary for MP would end if the zoning is changed to GC, and how other MP areas in the City could change.

In summary, staff supports the land use policy for MP and the MP zoning in this location because it maintains the availability of MP zoned land, per Council directive. The staff proposal de-emphasizes commercial uses in existing MP, but also recognizes the unique location of the area with high traffic and visibility. This proposal from staff would align with the MP designation policies that are in the Comprehensive Plan. Staff is requesting action to deny the change from MP to GC; also, for the Commission to recommend the overlay of 8.5 acres, with the additional uses proposed by staff.

Commissioner Chandorkar asked about the letter from the applicant, which contained some requests for additional GC uses in the overlay area. He asked what the specific traffic impacts were from those specific use requests. Ms. Stiteler used the ITE, International Traffic Engineer's Handbook, to determine that auto car centers, banks, and other similar businesses generated around four to five trips during peak hours, and therefore the numbers were not all that conclusive. Commissioner Chandorkar asked about the applicant's request, a change involving, originally, 2.5 acres. He asked how the overlay, at 8.5 acres, would impact traffic for the entire area. Ms. Stiteler said her previous point about traffic would still hold true. Commissioner Chandorkar asked, due to the fact that Council is so concerned about the MP designation, if creating the overlay was a good idea. Ms. Stiteler noted that no action is also an alternative.

Chairman Hinman asked about the allowed uses, and if this proposal contradicts the Manufacturing Park designation policy. He was concerned how this project might affect other projects and other MP designations across the City. Ms. Stiteler admitted that this proposal does call the MP designation into question, in that this looks at one small area, but the policy still covers the entire City. Commissioner Flynn asked about how the Council allows for additional uses in some areas. Ms. Stiteler said that does happen, but the review is very closely watched. The idea is that MP areas evolve, but that they will remain available for traditional MP uses and new MP uses, too, such as software and hardware development. Commissioner Flynn asked what the reasonable basis would be to make the proposed changes. Ms. Stiteler pointed out that auto care and auto sales stores started as conditional uses in MP zones, but became permitted uses following the study of Manufacturing Park and Business Park areas. Chairman Hinman summarized that the Council is protective of its MP zone and the limited amount now available.

Tom Markl presented to the Commission on behalf of the applicant. He is CEO of Nelson Real Estate, LLC. He represents the owners of the Redmond Car Care Center. His address is 16508 NE 79<sup>th</sup> Street, Redmond, Washington, 98052. Mr. Markl has provided two letters, one dated June 27, 2011 and one, July 7, 2011. In those letters, the applicant has tried to answer the concerns of staff. Mr. Markl said he appreciated what he called staff's tacit acknowledgement that change was needed in this area by

making the overlay proposal. He felt, however, that staff has not gone far enough. The applicant has created a compromise to withdraw the initial request for the GC zoning, to accept the overlay zoning, and to accept the three retail uses. Some additional GC uses have been requested, but not all the GC uses.

Mr. Markl made a comment in regard to the guidance of City Council. He noted that Redmond is a living city, and the Council has recently backed an Economic Development Alliance to ensure the vitality of the City. For the community to be vital, Mr. Markl believes that the City has to be flexible to changing market conditions. He said that is what his proposal is all about.

Regarding traffic, Mr. Markl noted that a number of GC uses have been allowed in the staff proposal. He noted that the uses he has proposed, smaller office-related businesses, create more of a continual flow, not a peak-hour commuter flow. He did not see a traffic issue with the uses he was proposing. With parking, Mr. Markl noted that if a GC use was proposed, the applicant would provide parking spaces. About the impact of driveways on Redmond Way, Mr. Markl said that Park East, the biggest parcel in the overlay, has no driveway on Redmond Way and could not have one, due to the proximity to the intersection. The other two parcels, the applicant's parcel and Ken's Auto Body, share a driveway onto Redmond Way; plus, the applicant has another driveway. More driveways will never be added, making this a non-issue, Mr. Markl said.

Mr. Markl spoke of the impact of the zoning change with regard to competition with businesses in Downtown and in Overlake. He noted that some retail uses are in the staff proposal, and Overlake and Downtown are the retail centers of Redmond. If those are permitted, Mr. Markl asks, why not small surface-type offices in two small parcels and half of the Park East parcel which are the properties of the proposed overlay area. Mr. Markl does not believe the businesses going into the applicant's site would have any impact on Downtown Redmond or Overlake. The other property owners within the overlay area have had no comment on this issue, and there have been no comments from the public. Mr. Markl said he talked with a representative of Ken's Auto Body, and Ken's did not have a problem with the overlay. He was not able to contact Park East. In general, Mr. Markl believes an increase of uses would help increase the ability to rent a property and also for resale value. He felt like the deck was stacked against the applicant with this decision, in that the interpretations and official opinions are coming from staff. He asked the Commission to use good judgment in light of the realities of the marketplace.

Mr. Markl does not believe there will be an erosion of the MP zone with a decision in the applicant's favor. He noted that the applicant's parcels are the only ones in the MP zone in the City that face onto Redmond Way, a very unique situation. He added that the current zoning would allow the building of an asphalt processing plant on Redmond Way, but an accountant's office would somehow be a threat to the City and the MP zone, which does not make sense to the applicant. He spoke next about the impact on other MP-zoned businesses in the overlay area. Car care businesses would see no adverse impact, Mr. Markl said. He does not believe there would be any adverse impact on Park East, either. The largest tenant facing onto Redmond Way is the Pomegranate Restaurant and catering business. The Planning Department and Council have approved a variance to allow the restaurant to expand beyond the area approved for an MP use. Park East is relatively less desirable for GC use, Mr. Markl said, because of its lack of driveways onto Redmond Way.

In conclusion, Mr. Markl stated that staff's arguments against the applicant lack merit. He noted that the current MP car care use on the applicant's site has become non-viable, with high vacancy and

failing tenants. Redeveloping to another MP use is not economically feasible in Mr. Markl's opinion. The addition of the additional uses in the overlay would be an insignificant increase of uses in this area of Redmond. Mr. Markl noted that the businesses the applicant is proposing would not have an adverse impact on traffic. He noted that Redmond Way is a unique spot, and that this is a unique case in the MP zone, not the beginning of the end of MP in Redmond. Mr. Markl does not know how the applicant's request could be a threat when these types of businesses are already allowed directly across the street. He would like the Commission to consider the compromise the applicant has proposed, and he thanked the Commission for its consideration of his proposal.

Commissioner Biethan noted that he is employed by CB Richard Ellis, manager of Park East. Chairman Hinman recused Commissioner Biethan from the hearing on this item. Commissioner Flynn asked Mr. Markl what his occupancy rate was on his site. Mr. Markl noted the site was 27,000 square feet. He said that the John Deere site, about 14% of the site, has been grandfathered in as retail, and will soon house a paint store. There are about 12,000 square feet of viable car care usage space right now, about 43% of the site. The remaining 42% consists of 17% vacancy, 15.4% of tenants operating at substantially reduced rental rates, and 9.7% running on a month-to-month basis. So the actual vacancy, Mr. Markl said, was about 30%. The paint store will add a big tenant, but with the month-to-month units considered, Mr. Markl said the effective vacancy rate is 42%.

Chairman Hinman summarized that the applicant acknowledges the overlay, but the issues are on the uses for his parcel. The applicant's revised proposal and the uses allowed affects his parcel and the entire 8.5 acres, Chairman Hinman clarified. Commissioner Chandorkar asked in case the additional uses the applicant has requested are not allowed, if the proposal from staff would be useless. Mr. Markl said the staff's proposal would be better than nothing, but he has taken in requests for many small offices to fill the applicant's vacant space. Chairman Hinman closed the oral portion of the hearing; the written portion will remain open until the next study session on this issue.

Commissioner Flynn asked staff what would happen regarding building height with either the staff or the applicant's proposal. Ms. Stiteler noted that the height would not change, as the designation would still be MP. Commissioner Flynn clarified with Ms. Stiteler that the site could be designated GC, but allow limited uses. Allowed heights could be higher in that case, Ms. Stiteler noted. Commissioner Chandorkar asked why the new uses proposed by the applicant were not acceptable to staff, beyond traffic impact and parking. Ms. Stiteler noted that there were heavier uses allowed in MP that would not be likely to locate Downtown. She added that there was an issue of MP designation policies, as noted in the Comprehensive Plan. Ms. Stiteler said the staff proposal fits with the Comprehensive Plan, with a liberal interpretation of the MP designation. Any more stretching would put that policy issue into question.

Commissioner Gregory said that the applicant's proposal deals with less of an activity or use, but rather a product. In other words, one could sell flowers, but not pet food. Heavy furniture merchants would be acceptable, but not accountants. He noted that the *other goods* designation staff is proposing creates an open window, and casts a capricious and arbitrary light on the Commission, in that flowers would be acceptable, but pet food would not. Ms. Stiteler admitted that the *other goods* phrase is not well defined, but that language was in place to cover all the possible uses in existence.

Chairman Hinman noted that the middle ground uses, the small service offices, appear to be the biggest question facing the Commission. He does not know how much further the MP designation could be stretched. He began work on the issue table at this point, starting with some minor uses.

Chairman Hinman noted that in Issue 1 and Issue 3, there were specific uses mentioned; he decided to move to smaller issues and come back to 1 and 3. Issue 2 dealt with trip generation uses proposed by the applicant and how those compared with MP uses. Chairman Hinman said this was addressed by staff and the applicant. Commissioner Flynn said this issue could be closed. Chairman Hinman confirmed with Ms. Stiteler that staff's study of traffic was inconclusive.

On Issue 4, also dealing with traffic numbers, was about the applicant's contention that some of the uses he has proposed are minor or non-peak trip generating businesses. Ms. Stiteler said an office building would generate lower traffic levels during peak hours, according to her data, but she would talk about this with City traffic engineers. She noted that the other uses allowed in the applicant's proposal have high afternoon peak trip generation, including a drive-in bank and hardware store. Chairman Hinman said he would leave this issue open until the discussion of uses.

Issue 5 was about the approximate number of people in the area, and providing services to the surrounding residential areas. Commissioner Gregory asked if the numbers reflect a destination trade area for these businesses, or just the immediate surrounding trade area. Ms. Stiteler said the numbers are for Southeast Redmond, as defined by the neighborhood boundary. The boundaries, roughly, would be east to the City limits, north to Union Hill Road, and then south encompassing the Marymoor area. Chairman Hinman closed this issue.

Issue 6 dealt with comments or questions from other businesses or occupants in the area. Staff has noted what has been received; the applicant has given a sense of what some other occupants nearby are saying. Chairman Hinman closed this issue.

Issue 7 was about making sure this change was appropriate, which Chairman Hinman said was embedded in Issue 1 and Issue 3. Issue 8 dealt with traffic management, access, and egress. Chairman Hinman noted that staff and the applicant have spoken about this, including driveway access. Commissioner Chandorkar noted that in the change from MP to GC, the parking requirement nearly doubles. He asked, in the overlay proposed by staff, if the parking requirements would change. Ms. Stiteler said the parking requirements would still follow with the MP designation, which is two to three parking spaces per thousand square feet rather than four to five. Commissioner Chandorkar pointed out that parking could be a challenge in this situation.

The next issue dealt with possible impacts to existing MP businesses with the proposed change to GC. Chairman Hinman noted that impacts on Downtown and Overlake could be considered in this issue as well, and brought up the other side of the issue, which was whether this could be considered a slippery slope of expanding GC uses in other MP locations. He left the issue open.

Chairman Hinman asked to close the traffic impact issue, regarding access, and kept the parking space question open. Commissioner Flynn said that the idea of creating more parking issues through the overlay, or the applicant's proposal, needs to be thought through. Commissioner Gregory asked if the applicant recognized the need for additional parking. Chairman Hinman said he was not sure that the applicant dealt with the issue formally, though the applicant did so in practice. He kept the issue open.

Chairman Hinman asked about the range of uses requested by the applicant, and started with Issue 3. Chairman Hinman asked about the small service offices, including professional and administrative services. He said that was a uniform category, and beyond the MP designation. Chairman Hinman said

that pet and animal services seemed to be a little more in line with an MP zone. He asked the Commission for comments. Commissioner O'Hara said that the administrative services, the finance, insurance, real estate, and professional services, in general, are very much office uses with occasional clients, and thus low impact in terms of parking and egress. In his mind, he groups those three uses, and possibly real estate, in the same category. He noted these were not retail shops with a lot of customer traffic.

Chairman Hinman noted that healthcare services for humans or animals do not fit in this category. Commissioner O'Hara agreed that more customers would arrive in a similar fashion to laundry, hair care, and nail care and that there is a retail and client flow that small offices do not have. Commissioner Flynn said of the proposed uses from the applicant, that there would be few peak traffic issues during the day, even the car care services. Commissioner Chandorkar said he was struggling with the philosophy behind the MP and GC zones. By provisioning individual services, he was concerned the Planning Commission might be getting arbitrary, and diluting the original vision of the City. Commissioner O'Hara noted that times have changed and needs are changing. Commissioner Chandorkar pointed out that the area in question is unique, with a lot of traffic noise, for example. He asked if that area would ever go back to MP uses when they're needed, if the GC type uses are allowed.

Commissioner Gregory noted that the choice of the Commission should not be to allow some uses and not others. He pointed out that the Council wants to preserve MP designation, but said that the applicant makes a compelling case for economic viability. He said Redmond Way is not really an MP zone in many respects, with the presence of Whole Foods, for example. Commissioner Gregory does not see any overwhelming reason not to allow the additional uses proposed by the applicant, other than the idea of trying to group those uses in the Downtown area. He recommended leaving the site as is, or take the applicant's proposal. He did not think the City was not giving up anything it has not given up already by allowing the additional proposed uses.

Chairman Hinman asked Ms. Stiteler to consult with the City Attorney whether the overlay with the additional uses would turn into a policy change issue. Ms. Stiteler agreed and had a question on Issue 4, regarding traffic numbers. She asked if the Commission wanted additional numbers. Chairman Hinman asked for data on the impact of small offices on peak hour traffic. Commissioner Chandorkar asked for more information on what parking will be added. Chairman Hinman asked to add that parking question as an issue to the matrix. Commissioner O'Hara asked to see where the site is right now with regard to MP and GC parking requirements.

Chairman Hinman noted that this situation allows for three choices, including the staff proposal, the applicant's proposal, or a complete denial. The Council will have the final say, regardless. Ms. Stiteler noted that the alternatives have been presented, and the Commission's job is to make a decision as to how this proposal fits or does not fit with the Comprehensive Plan. She reiterated that stretching the Plan can create a policy issue and consistency issue. Chairman Hinman noted that the hearing was open for written comments until the study session of the following week. The Commission took a five-minute break at this point.

**STUDY SESSION, Green Building/Infrastructure Incentive Program**, presented by Thara Johnson, Associate Planner, City of Redmond Planning Department.

Ms. Johnson noted that at the last study session on June 29<sup>th</sup>, there was one open item left on the issues table. Also, an item has been added, an issue relating to public comment received from Sustainable Redmond regarding suggested changes to the draft proposal. Staff was comfortable with the changes suggested which the Commission will see at the time of report approval and the final draft.

Issue 1 deals with transportation mitigation as part of the Green Building update. There was a discussion at the last meeting about the STARS program, similar to LEED, but concentrated on transportation. Staff has addressed that through a few avenues including some additional discussion through the TMP update, which the Commission will see in the fall of 2011. The other option would be to wait until this element is adopted and then re-visit the incentive program to see if this should be included in the incentive program once it is adopted and the future ramifications of the program are understood.

A second topic within this issue relates to the incentive program and if the techniques included in it are truly meaningful. This especially deals with public feedback from the development community. The Code Rewrite Commission recommended a review of this program. Staff has talked with commercial developers, and most are interested in incentives like floor area ratio bonuses and height bonuses. A study of bonus programs nationwide shows they vary from state to state. Some states waive impact fees as a bonus. Ms. Johnson noted that more feedback on this issue will be forthcoming. A pilot program is happening in the City that will provide some information to the Commission, and staff will receive those details in the future from the developer. Also, once the initiative program is adopted by City Council, staff could report back to the Commission in a year on the findings discovered in that program. A developer's forum has been explored by staff, and that could happen at the start of 2012.

Commissioner Biethan thanked Ms. Johnson for her time, but asked how another incentive might be added to the Code if it were discovered to be more desirable in 2012. Ms. Johnson said that could happen via a Zoning Code amendment, but would still be within Comprehensive Plan guidelines. Staff could come back with feedback from developers and propose a change to the Commission. Ms. Johnson said that the changes proposed to the Commission are in the Zoning Code, not the Comprehensive Plan. As long as the incentives do not conflict with the Comprehensive Plan, they could be considered. Chairman Hinman noted that more pilot programs could also be started. He confirmed with the Commission that they were comfortable with staff's proposal and closed Issue 1.

Issue 11 dealt with the public comment from Sustainable Redmond and staff's agreement to make the changes suggested in the comment. Chairman Hinman noted that a push for sustainable energy in residential development was in line with the Commission's wishes, and he closed Item 11, completing the issue matrix. A report will come before the Commission on July 27<sup>th</sup>.

**MOTION** by Commissioner Gregory to approve forwarding the Green Infrastructure and Incentive Program text amendment. seconded by Commissioner O'Hara. Motion passed unanimously (6-0). Chairman Hinman thanked Ms. Johnson for her work on this issue.

**STUDY SESSION, Natural Environment Element, Limited Shoreline Master Program Amendment and Critical Areas Ordinance Amendment—FEMA Floodplain Management,** presented by Kelsey Johnson, Associate Planner, City of Redmond Planning Department.

Ms. Johnson was accompanied by Kevin Murphy, who works with the Wellhead Protection Program in Redmond's Natural Resources Division. Chairman Hinman noted, by way of review, that the Commission has discussed gray water, wellhead protection, infiltration, and concerns about water quality. Mr. Murphy spoke to the Commission about the Wellhead Protection Program and its role in Redmond. The City's wellheads are located around the five wells that provide the City's water, and 40% of the drinking water comes from those wells for the eastern portion of Redmond. An aquifer is above those wellheads, with no impervious surface. The wells tap into underground water at about 20 or 75 feet below the ground. Mr. Murphy noted that Redmond has grown up with its wells, with some going in during the 1950's and the most recent one going in during 1996.

The Wellhead Protection Program started in 2003 by order of the City Council. The Program's mission is to sustain and monitor the groundwater quantity and quality, with a special focus on preventing pollution. Several issues impact the Program, including low-impact development, storm water infiltration, new development compliance with groundwater protection, and minimizing chemical or other practices proposed on areas of the City. The Program also manages hazardous materials, dealing directly with City businesses that might create an impact on the wellheads. There are 100 monitoring wells throughout the City.

Commissioner Flynn thanked Mr. Murphy for his work, and asked about long-time businesses in Redmond such as light manufacturing businesses that drain onto pervious material. Commissioner Flynn asked how the Program dealt with those businesses and ensured the water on those sites was properly treated. He also asked how the Program dealt with businesses that have impervious surfaces. Mr. Murphy replied that this was a challenging issue. He noted that the Program's focus is working with facilities that have large, impervious surface where stormwater is captured and concentrated into a dry well, stormwater pond, or perforated pipe. He noted that some industrial areas do have large gravel areas which can become nearly impervious as more vehicles drive over them. Stormwater does run off of those areas, is collected in central locations, and managed properly. Mr. Murphy noted that the Program is overseeing those areas, and is promoting appropriate mitigation efforts.

Commissioner O'Hara asked about new businesses starting and setting up parking lots along Redmond Way, or Cleveland Street. He asked if there was a way to catch the stormwater from those sites properly. Mr. Murphy has researched these drain systems; there are 120 parcels around the City that have stormwater infiltration systems that go directly into the ground. The vast majority of the City does not infiltrate into the ground; rather, the water flows into pipes and goes to local rivers or Lake Sammamish. Some of that water gets cleared in regional facilities before it is discharged.

Chairman Hinman noted that Issue 11 deals with water treatment, and includes public comments. Mr. Murphy read NE-34, which said *ensure the degradation of groundwater quality does not occur where appropriate, prohibit the infiltration of runoff from pollution-generating services*. There was a request from the public to add some clarifying language. Staff has discussed this issue and the *where appropriate* term was deemed redundant with the phrase proposed to be added to the end of the statement, *without adequate treatment*. Mr. Murphy said this issue is addressed in the stormwater code and the City's stormwater technical notebook. The *where appropriate* phrase is based on the wellhead protection zone. In Wellhead Protection Zones 1 and 2, for new and redevelopment, it is prohibited to

allow infiltration of stormwater from pollution-generating services. Chairman Hinman asked if this should be incorporated by reference in the policy or in the narrative with the policy. Mr. Murphy said he believes the policy is adequately termed. The detailed nature of where the City will and will not allow certain infiltration, and where that is appropriate, is best left in the stormwater technical notebook.

After staff spoke with the public commenter on this topic, the commenter agreed with the way this was originally written and rescinded the request for additional language to be inserted. Therefore, that concern has been addressed. Chairman Hinman confirmed that NE-34 will be kept as originally proposed by staff, as well as NE-35. Mr. Murphy had a similar discussion with the public commenter on NE-35, and the request for a change has been rescinded. The issue revolved around reclaimed and gray water. The request was to prohibit inadequately treated reclaimed and gray water from infiltration. The concern from staff was that there may have been a misunderstanding reclaimed water and gray water. Mr. Murphy confirmed what waste water is, how it is treated, and how it is not treated like we treat our drinking water. Gray water from showers or tubs will also not be discharged into the drinking water aquifer without treatment.

Commissioner Gregory asked who these commenters were in order to better understand their concerns. Commissioner Flynn noted there was a letter identifying a Karen Cross, specifically referencing Redmond Industries for a Clean Environment (RICE). RICE is a group of industrial users in Southeast Redmond.

Chairman Hinman asked Mr. Murphy for more background on the Brightwater plant. Chairman Hinman asked if any water from that plant would be distributed in Redmond City limits. At one time, it would be used on a City golf course. Mr. Murphy noted he was not an expert on this, but did see a presentation to the Council back in April about reclaimed water. A purple pipe now extends to the golf course using reclaimed water. There is a debate about stretching that usage further into Redmond; the Council does not support that. There is a risk to the aquifer, and it's an expensive process, too.

Returning to Issue 5, Commissioner Flynn noted he was fine with how staff addressed his concerns. Chairman Hinman asked for one change, replacing *occasionally review* with *periodically review*. Ms. Johnson agreed to that change, and Chairman Hinman closed this issue.

The next issue was Issue 8. Commissioner O'Hara was fine with the revised text regarding climate change. Commissioner Flynn was concerned about the phrase *some of the world's leading atmospheric scientists* rather than *a vast majority*, which bothered him in that most scientists believe in climate change. Commissioner Gregory suggested a phrase such as *leading scientists throughout the world* to create a compromise. Commissioners agreed on that compromise, and Chairman Hinman closed Issue 8.

The Commission next discussed Issue 11, dealing with policies 34 and 35. Chairman Hinman said those have been resolved, and he closed that issue. Issue 12, on Brightwater, was informational, and did not need to be closed. Chairman Hinman thanked Mr. Murphy for his insight.

Issue 13 dealt with a public comment. The response from staff was that the City does not test water during flood events because King County is the lead on that issue.

Returning to Issue 10, a public comment dealing with the use of pesticides, staff has provided more background on how Parks and Recreation staff deal with pests. The public commenter has not seen that background; staff will be sending that information to the commenter soon. The commenter has suggested some language changes which Chairman Hinman said were largely editorial. Chairman Hinman suggested holding Issue 10 open and considering all the other issues as closed. He noted that theoretically, this matrix would be complete the next time the Commission viewed it, on July 27<sup>th</sup>. Commissioner Hinman asked if the Commission would approve the Natural Environment section as provided, as amended by this evening's conversations without inclusion of Issue 10. Commissioner Gregory asked if a quick vote could be taken on July 20<sup>th</sup>, as a way to close the issue. Staff and Chairman Hinman agreed that was acceptable. The Commission thanked Mr. Murphy for his time.

**STUDY SESSION, Capital Facilities Element/Utilities Element, 2010-2011 Comprehensive Plan Update**, presented by Pete Sullivan, Senior Planner, City of Redmond Planning Department.

Mr. Sullivan noted that Capital Facilities, and Utilities, are two separate elements, and appear as two separate items on the agenda. However, they have been consolidated into a single Technical Committee report to coincide with simultaneous Planning Commission review. There are separate public hearings on these issues scheduled for next week; they could be consolidated based on the Commission's wishes. Mr. Sullivan asked the Commission to prepare for a targeted discussion at the July 20<sup>th</sup> meeting about alternative implementation strategies for the utility undergrounding requirement for aerial distribution lines that run in front of properties, such as those with single-family homes and commercial and industrial buildings. This request comes from Council. The policies have not been changed substantively, but the implementation does have some issues surrounding it. Chairman Hinman confirmed that Commissioner Biethan would be the liaison from the Commission on Facilities, backed up by Commissioner Gregory. Chairman Hinman will handle Utilities.

Mr. Sullivan noted that there are some substantial changes to these elements, including 22 new policies in the Utilities Element alone. The reason for the changes from a Comprehensive Plan perspective is to respond to changes that have happened since 2004 when the Plan was last updated. Mr. Sullivan said that these two elements are where the City responds to the service provisions that it provides in meeting the land use vision, so basically where the rubber meets the road in terms of City service. The changes are upstream policy changes to downstream legislation over the last five years, as well as a response to public and private development. New state laws, emerging technologies, and climate change are all contributing factors to these changes. Mr. Sullivan said aligning with other functional plans such as the Transportation Master Plan and the Water System Plan, and considering sustainability factors, is part of the process with an eye on the 2030 Planning Horizon. There has also been considerable input from City staff in all departments, with comments from 20 members. Stakeholders such as Puget Sound Energy, the school district, King County, Microsoft, and the Puget Sound Regional Council have also reviewed these changes. The Regional Council supports the staff-recommended draft, and their suggestions have been incorporated in the draft distributed to the Commission.

Starting with the Capital Facilities Element, Mr. Sullivan showed how the introductory narrative has been revised to reflect the land use vision, reinforcing the City's commitment to the urban centers and sustainability. The inventory of this element has been updated across all functional areas, meaning police, fire, water, sewer, and anyone with a functional plan. The mission statement has been expanded to show that agencies like police and fire are able to say what they do in the inventory and what their goals are. The next section was originally called Capital Facility Investment; now it is called Capital

Facility Planning. Those plans are an extension of the Capital Facility Element. In Redmond, the functional plans handle the heavy analysis and determine what the City needs to accomplish its goals, which is explained in this section.

Mr. Sullivan noted that *level of service standards* will now be represented as *service standards* in the text. Staff said this will help avoid confusion; each functional area has a brief narrative on what those standards are. The next section, formerly the Capital Facility Financial Plan, is now known as the Capital Investment Strategic Plan. This section calls for the City to look long-term and see what the capital investments are in the future to realize the land use vision. The City is working on that now, beyond the minimum six years, but rather projecting out to twenty years. This is a challenge, but some of this work is already occurring with the Transportation Facilities Plan as an example. Redmond's Revenue Sources, the next section, shows how money comes into the City and how it is spent. The next section is Lands Useful for Public Purposes. Trails and transit have been added to this section. The final section is the Capital Planning References, which shows where the functional plans are and how current they are.

Commissioner Biethan suggested working on the Facilities Element at this evening's meeting, as he would not be at the next meeting, and put a hold on the Utilities Element issues. Mr. Sullivan agreed, and noted that there would be a lot of issues on the Utilities Element, many that may not get covered this evening. Ms. Stiteler noted that there are scheduled public hearings on both of these elements at the Commission's next meeting. Commissioner Biethan took leadership of the discussion, and asked Mr. Sullivan how much change was really happening within this element. Commissioner Biethan asked if there were any controversial issues in what Mr. Sullivan has proposed. Mr. Sullivan said no, and noted that the public would find the staff's work as supportive, helpful, and in line with the Comprehensive Plan. Chairman Hinman noted that the maintenance of the Facilities Element appears to be at a higher level than it has been in the past, but beyond that, there were few big issues. Mr. Sullivan agreed, saying the Utilities Element has more policy amendments, especially with undergrounding and potential impacts to the City and private property owners.

Commissioner Flynn had an interest in constructing capital facilities such that long-term maintenance costs are low. He did not see that interest reflected in the element. Commissioner Flynn suggested adding some language to reinforce that idea. Mr. Sullivan did call out this issue in a bullet, but noted that maybe that does not get the attention it deserves. He and other staff members want to make sure that maintenance costs are not an afterthought. Commissioner Flynn noted in the narrative, there was a phrase saying *as well as maintenance needs*, which he said could have some added punch. Commissioner Flynn would like to see a separate point in the introduction bullets reading something along the lines of *constructing facilities in such a manner as to minimize long-term maintenance and upkeep*. Commissioner Biethan asked if that point would be appropriate in other areas, as well. Mr. Sullivan pointed out that the issue of long-term maintenance was noted on page 16 of the element. Chairman Hinman suggested emphasizing this point more in this section. Commissioner Biethan asked about the phrase *wise use* and suggested using *efficient use* instead. Mr. Sullivan said the idea is more along the lines of getting more bang for the buck, and he agreed to work on that phrase.

Commissioner Flynn noted a reference to the substation at Redmond Town Center, which will be closed down. Mr. Sullivan said he would revise that. Summing up his concerns, Commissioner Flynn wanted to make sure the long-term maintenance issue was placed in a higher position in this element, preferably in the beginning. Chairman Hinman said that idea fits with the resource conservation effort of the City, as well. This will be an issue the Commission will come back to.

Chairman Hinman said that there were places in this element that noted cooperation with the cities of Bellevue and Kirkland. He would like to see some informational backup on what those inter-jurisdictional agreements are. The same issue comes up in the Utilities Element. Chairman Hinman also brought up disaster preparedness, and how those might be addressed in Capital Facilities and Utilities. Mr. Sullivan noted that the City has an Emergency Operations Plan and Hazard Mitigation Plan, both of which were updated in 2009. Those plans speak to Chairman Hinman's concerns more specifically.

Commissioner Biethan asked about a stylistic point regarding the statistics of miles of pipe and numbers of stations, and why those numbers need to be put into this element and constantly updated. He considered that an informational point rather than something to add to the issues matrix. Commissioner Biethan noted that the addressing of impact fees, *periodically* instead of *every five years*, is a much looser take on the concept of specific updates. Commissioner Biethan noted that staff may have set itself up with a lot of work with the statistics noted above.

Mr. Sullivan noted that type of language echoes, basically, what is in the Redmond Code. He wanted to be as accurate as possible. Chairman Hinman said the language is a context narrative, not a policy. Commissioner Chandorkar noted that there was a specific mention of Parks and Recreation facilities, and voiced a concern about staying consistent. Mr. Sullivan admitted that was a challenge, and noted that service standards are very different in the different service areas. Transportation had some issues in this area, but Commissioner Chandorkar suggested making this a broader introduction. Commissioner O'Hara recommended removing the numbers from that paragraph. Chairman Hinman said those numbers and specifics give the reader a scope and scale of what the City is in charge of. Commissioner Chandorkar said with or without numbers, the document should be consistent between the service areas as much as possible.

Chairman Hinman noted that the initial discussion on the Capital Facilities Element was complete, and asked Mr. Sullivan for an introduction to the Utilities Element. Mr. Sullivan reviewed that he had six issues to follow up on:

1. Emphasizing long-term maintenance toward the front of the element
2. Changing the phrase *wise use*
3. Cleaning up the police substation issue
4. Getting information on the Bellevue and Kirkland inter-jurisdictional agreements
5. Clarifying how emergency management fits into this element
6. Making the service standards consistent

Chairman Hinman noted that there may be more editorial issues in the future, but thanked Mr. Sullivan for his summary. Regarding the Utilities Element, Mr. Sullivan summarized that the general idea is to lay out general utility policies across the board and their economic and environmental considerations. The element then gets into its functional areas in the City, as well as non-City-managed utilities, such as Puget Sound Energy. Those section headings have changed slightly. Commissioner Flynn's concerns about long-term maintenance will amend the policy regarding design and maintenance of facilities. Regarding water, the next section, there is a facility update and it clarifies what the Wellhead Protection Program does. With sewer, the big ideas are that the City wants prompt connection to sewer when septic systems fail and sewer is available. The idea is to ultimately phase septic systems out.

Stormwater now covers surface water management as well, and contains many updates. There are several new policies regarding new best practices in the business world. The big ideas here, Mr. Sullivan said, are about controlling the rate, quality, and quantity of water coming off any property, public or private. The City wants to protect habitat and groundwater to meet regulatory requirements, with an acknowledgement that streams, creeks, and wetlands are part of that drainage system. Environmental functions must be maintained. Streets provide an overflow route for water during a storm. Mr. Sullivan said that the intent is to minimize the water that runs off of property first and then mitigate what might be left.

Fish and wildlife access is another priority. Mr. Sullivan said there are eighty-seven blockages for fish in the City for fish on Class I streams. Sixty percent of the stream lengths are inaccessible. Co-locating facilities and other efficiencies have been indicated as well. Coordinating efforts to protect and enhance water quality will be another priority for City staff. In some cases, retrofitting will be used for projects that are very big, such as road infrastructure projects. New and existing development must be considered.

Moving on to solid waste, Mr. Sullivan noted that the proposed language clarifies what the solid waste program does through inter-local agreements with King County. As he moved into the former non-City-managed-utilities, the next section, Mr. Sullivan said that part of the element is now called Energy. Folded into that are electricity and natural gas, making an overall heading of energy facilities, energy efficiency, and energy conservation. Many policies thought to be dealt with separately in the Comprehensive Plan appear now in this element. The idea is to use the energy that is available more efficiently and squeeze more out of it. Smart grid technology and private customer conservation are part of this discussion. Next, in telecommunications and the hazardous liquid pipeline sections, there are few changes, and nothing substantive.

Chairman Hinman asked the Commission to take a close look at the energy section, specifically, for the next meeting, but he noted that the stormwater section has a lot of material to deal with as well. Chairman Hinman asked Mr. Sullivan to add an issue to his matrix, regarding UT-29 and UT-33. Chairman Hinman would like to see some unconventional sustainability practices noted in this area, regarding harvesting gray water and composting toilets. Beyond that, Chairman Hinman told the Commission to review its notes on this issue and prepare for the next meeting.

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

Ms. Stiteler noted that the next meeting for the Commissioners would be very busy. Five Commissioners have planned to be in attendance, which will make the quorum. Chairman Hinman noted that Commissioner Bontadelli has resigned from the Commission. Ms. Stiteler said that there would be a workshop on the Transportation Master Plan on Thursday, July 21<sup>st</sup> at City Hall, starting at 5 p.m. She invited Commission members to attend. Chairman Hinman said he would make it. Commissioner Flynn noted there were fireworks the night after this meeting, at 10:00 P.M. The first Arts in the Parks performance will be happening that evening as well, starting at 7:00 P.M. There is a backyard chickens meeting on August 3<sup>rd</sup> at City Hall.

#### **ADJOURN**

Chairman Hinman adjourned the meeting at approximately 9:52 p.m.

Minutes Approved On:

Planning Commission Chair

