REDMOND CODE REWRITE COMMISSION MINUTES

August 30, 2010

COMMISSIONERS PRESENT: Nancy McCormick, Robert Pantley, Vibhas

Chandorkar, Robert Fitzmaurice

COMMISSIONERS EXCUSED: Chairman Steve Nolen, Vice Chair Sue Stewart,

Philip Miller

STAFF PRESENT: Jeff Churchill, Gary Lee, Steve Fischer

RECORDING SECRETARY: Lady of Letters, Inc.

CALL TO ORDER:

The meeting was called to order at 6:00 p.m. by Temporary Chair McCormick in the Council Chambers at City Hall.

APPROVAL OF THE AGENDA:

No changes proposed.

MINUTES:

MOTION by Mr. Fitzmaurice, and seconded by Mr. Pantley, to approve the revised copy of the August 2nd and August 16th minutes, with changes to the last two paragraphs of the August 16th meeting. No other corrections. Motion approved unanimously (4-0).

ITEMS FROM THE AUDIENCE:

One member of the public in the audience declined to comment at this time.

CODE REWRITE COMMISSION REPORTS:

The monthly report to the City Council for the Public Works and Planning Committee meeting was presented. No comments by the CRC were made, and Ms. McCormick deemed the report ready for presentation.

The monthly CRC report, the tracking list, had one new item listed, regarding native landscaping requirements to be addressed as part of the Code reconciliation. The report looked good to the CRC, and was deemed ready for presentation.

DESIGN STANDARDS DISCUSSION AND STUDY SESSION:

Mr. Fischer noted that the CRC would be identifying issues regarding design standards in this meeting. He has received several emails and calls from the CRC members with ideas to consider. There are five key items Mr. Pantley would like to consider, especially regarding pages 18-60:

1. The Downtown and Overlake sections should only contain that which is unique. Everything else, if at all possible, should be put into the citywide standards.

- 2. The staff should eliminate any areas of duplication in the Code.
- 3. The Downtown residential section of the Code should be reworked.
- 4. All portions of the Code that address landscaping should be in one location, so as to reduce the size and scope of that section of Code.
- 5. Storm water facilities, if they are ponds or bio-swales, are recommended to be *naturally occurring* in the Code. Mr. Pantley believes this is too limiting; he would like to consider other alternatives that would fit better in an urban environment.

Ms. McCormick has brought up some items as well, and Mr. Fischer would like to handle the concerns of both Commissioners at this meeting. Mr. Pantley noted that all of the issues he has identified may not be handled by the CRC, but he would really like to tackle the top five noted above. Overall, he wants to create a lot of flexibility in the Code to make sure there is not a lot of sameness in designs around the City. Mr. Fischer noted the City of Redmond Design Review Board has also had some concerns over that sameness, especially in the Old Town standards. Mr. Fischer reiterated the intent statements noted in the Code are the standards that must be met. The design criteria are example of ways to achieve those standards, with the exception of the times the word *shall* is used, which generally indicates a requirement. Mr. Fischer noted that the Code has a lot of flexibility right now in how the DRB and other agencies guide the process.

Mr. Lee began on page 29, about a question regarding the screening of open space. The purpose of that screening is to screen private open space from common areas. It is mainly for a purpose of privacy. Such screening could limit noise, as well. Mr. Pantley disagreed with this idea, and asked Mr. Lee to look back on page 28, regarding the limitation of open space by property lines. He noted that the way the Code reads now, if a balcony 15 feet in the air is added to a building, that would reduce the use of the open space. Mr. Pantley would like to make the common and private open spaces blend. He does not see the advantage of limiting that open space. Mr. Lee says there is nothing in the Code that says that such a blend could not happen. But Mr. Pantley says developers will not do such a blend, because they would not get credit for the open space requirement. Mr. Lee disagreed with that assessment, but Mr. Pantley says the way the Code reads, it would lead to sameness in design. Mr. Lee says that sameness is mainly a function of colors and materials used.

Mr. Pantley asked why the open space is limited by the addition of a balcony, for example. Mr. Lee is not sure what the issue is here. Mr. Fischer noted that he is hearing that there may occasions, out on the front or corner adjacent to a public sidewalk, where a piece of open space does not meet the dimensional requirements to be counted as open space. Mr. Pantley would like to have those pieces counted, because he believes those are the highest value open spaces that the City has. Mr. Fitzmaurice agreed that he did not want to be proscriptive, especially with the width of an open space. Mr. Pantley did not have a minimum width he was looking for, but wanted to make sure that more open space would be encouraged. Mr. Fitzmaurice suggested some language, like the combined width of public and private open space would be no less than 10 feet. Mr. Lee agreed to review that idea.

Mr. Pantley next spoke to the issue of irrigation of landscaping and noted that not all plants require irrigation. He would like to reconsider the idea of sustainability and using native Northwest plants. Mr. Pantley recommended a two- or three-year drip hose be used for that period and then removed. Mr. Chandorkar noted that in the residential area, the type of tree required is not noted. Mr. Lee says quantity is the only issue at hand; he added that a landscape architect would recommend a proper tree species. Mr. Chandorkar noted that in other parts of the Code, trees and shrubs of certain sizes are required. Mr. Lee pointed out that was merely a size issue, not a species. Mr. Fischer says the landscape section of the Code has more details on this issue.

Mr. Pantley next spoke to page 31, about how Downtown units with a big living room window would have to be 45' away from another living room. He did not think that was practical Downtown. Mr. Lee pointed out a graphic on page 109 associated with this table, which was not provided to the CRC before. He says administrative design flexibilities can help in these situations, as well. Mr. Lee says the issue Mr. Pantley identified speaks to a large development with a courtyard and windows. Many CRC members were confused by this issue. Mr. Pantley says with this section of Code, no developers would want to build a courtyard in the Downtown area. Mr. Lee says there are several courtyard projects Downtown, but Mr. Pantley says the way the Code is written the City would have less opportunity for different courtyard designs. Mr. Lee asked the CRC if that 45' width seemed too wide. Mr. Pantley says in smaller buildings, closer distances would be acceptable, but in larger buildings, bigger distances like 45' might make sense.

Mr. Lee noted that prior to his work in Redmond he worked in Long Beach, California, which had a number of high-density projects with smaller courtyards. There was a big backlash on this issue, and Mr. Lee noted that it led many city leaders over the years to become more conservative on the issue of window space. Mr. Pantley says he understands Mr. Lee's concern, but wants to make sure there is some design flexibility available. Mr. Fischer noted that a building of smaller mass, size, and height could have a smaller distance between windows, and he will work on that concept.

Ms. McCormick asked about consolidating parts of the Downtown Code. Mr. Fischer says there may be a possibility of consolidating what the City used to call *districts* into the larger Downtown Code. However, Mr. Fischer warned that consolidated standards will apply to all areas within the Downtown, which has some different neighborhoods within it. He will work further on this issue. He noted that it has been a challenge to reduce the sheer number of pages of the Code overall, but he is also working on that.

Mr. Pantley also brought up the residential parking access issue, on page 34. He is concerned about the piece of code that mentions driveways and drive alleys should not run along interior property lines, if possible. That would preclude joint driveways, which Mr. Pantley would like to encourage. He would like property owners to combine driveways, which could create more compact, greener development. Mr. Pantley is also concerned about setbacks from property lines for parking lots, which could be obviated if

two owners could agree. Mr. Chandorkar asked about what would happen if a property is sold; Mr. Pantley says the parking requirements would go with the land. Mr. Fischer said such a situation would work under a binding site plan. Mr. Fitzmaurice would like to see some elements of a binding site plan in the Code without going through the binding site plan process. He is concerned about creating an impractical piece of property by using the binding site plan requirements. However, he does note that screening parking lots from each other, as the Code requires now, does seem like a waste of space.

Mr. Fischer argued the binding site plan was the right tool to use. Mr. Fitzmaurice says the cost of such a plan can be prohibitive for new owners taking over a property involved in a binding site agreement. Mr. Lee says he will work on creating an exception to this part of the Code per Mr. Pantley's suggestions. Mr. Fischer added that the place for such a rule should perhaps be in the parking section of the Code. Mr. Fitzmaurice says, again, the Code needs to encourage superior design, and he is not sure how to create design flexibility in this particular situation. He would like to make sure the City lets developers know the different options they have, and what flexibility is available. Mr. Pantley agreed, noting that plans can cost \$20,000 or more, which can be prohibitive for applicants.

Mr. Fischer reiterated the list of concerns Mr. Pantley brought up about design standards. Ms. McCormick asked about the stormwater standards, and pointed out that Downtown and Overlake will have regional stormwater facilities. Residential zones, however, may have different considerations. Mr. Churchill noted that new streets will have some local stormwater treatment. Those facilities are very urban, and not *natural* as noted in the Code, Mr. Pantley pointed out. He would like to make sure stormwater facilities offer some other uses, possibly as recreational sites. Mr. Fischer noted that retention ponds with a particular slope and depth have a requirement for fences, but that is rare. Mr. Fischer will look further into this issue. Mr. Fitzmaurice does not agree with the way stormwater is treated in the City; he would like to cap stormwater facilities with concrete and use the space. He believes ponds are too large and take up too much real estate. Mr. Pantley says the big point is that stormwater facilities should have dual uses whenever possible.

PUBLIC HEARING, DESIGN STANDARDS:

Ms. McCormick opened the public hearing on Design Standards a few minutes after 7:00 P.M. David Scott Meade, Chair of the City of Redmond's Design Review Board, was the only person to testify. He noted that the DRB discussed blank wall areas in its last meeting, and brought up some different suggestions on that issue. Mr. Meade says the DRB would like Redmond to be in cohesion with other Eastside cities on design standards to provide some continuity. Aligning with Kirkland, specifically, on blank walls appeared to be an agreeable idea to the DRB. The method of identifying a blank wall is the responsibility of City of Redmond staff; when such a project is brought to the DRB, different solutions would be suggested. While the DRB supported the idea of remedies for blank walls as a guide for developers, the DRB is concerned that City-provided solutions can also increase monotony. Mr. Meade is hopeful that as Redmond develops as an urban community, sites would be developed in light of their

neighborhoods and the timing of the development, not simply as a response to a list of City remedies. He noted that some sites are enhanced with blank walls.

The current Code speaks to not encouraging blank walls, but Mr. Fischer noted that the Code is lacking on a complete definition of a blank wall. Mr. Meade says blank walls on the new Swedish Medical project actually enhanced the design. Mr. Pantley says the new Code will allow for blank walls. The goal, Mr. Meade says, would be to give staff some tools to work with, and then allow staff to refer some projects to the DRB for additional guidance. Mr. Fischer added that the DRB would like to see some improvements in the organization of the Code by adding more illustrations and reducing the size of the Code. Mr. Meade is hopeful a smaller, annotated Code will allow applicants to be better prepared when presenting a project.

Ms. McCormick asked Mr. Meade if there were issues with the Code that have caused the DRB to struggle in the past. Mr. Meade says the language on modulation has been an issue before, specifically with a recent Costco project. On that project, he was pushing Costco to create new and innovative design that is fitting for the City of Redmond, whereas Costco wanted to create its usual box-shaped store. The DRB has felt limited by the modulations called for in the Code; many of the modulations on a wall 600' to 800' long were only 8". The DRB did dress up the front of the building, where Costco was willing to do more. But, the DRB felt hamstrung regarding the "box" concept and the required modulations.

Mr. Fischer asked Mr. Meade if projects coming in were becoming repetitive, especially in the Old Town area. Mr. Meade says that has been happening due to several issues. First, the Old Town design standards can be limiting. Mr. Meade says the more the City imposes designs that were not in Redmond, but only representative of the Old Town timeframe, the more the City will have non-Redmond building designs. He appreciates historic district standards, but specifically, he has an issue with the fenestration requirements, which can create redundancy. Mr. Meade says also, with the Cleveland Street project, many developers have followed that model as a way to meet the City's requirements. He admitted that area of Old Town will be a tough area to control; the other side of the street could help balance out the redundancy of design that is happening already.

Mr. Fitzmaurice asked about scalability and modulation, and if the Code is appropriate for the smaller lots in the Downtown area. Mr. Meade says that depends on the scale of the building, and that is why he would like to see Code flexibility related to scale. Developers are looking for ways to shrink their developments on larger sites to save money, and not max out the site. With smaller sites, developers are looking to max out the site to make it more economically feasible, conversely. Mr. Fitzmaurice says it could be difficult to develop other projects in the future, and some developers are already passing on working in Downtown Redmond. Mr. Meade noted that the high water level in that area makes parking a challenge, especially. The DRB has just approved a small project there, The Stelvio, which adds a very small retail area.

Mr. Pantley asked Mr. Meade for his wish list when it came to the Code, and what a guiding principle for the CRC would be on design standards. Mr. Meade noted that any writing of code creates sameness, but he suggested a Code to encourage disparate design that does not borrow the pattern, rhythms, or context of neighboring buildings. Mr. Meade would like to use proactive rather than reactive language in the Code, to say that the City encourages design developers and professionals to find unique solutions that are appropriate for their lot, location, use, and community.

Mr. Fitzmaurice asked Mr. Meade about the urban vs. rural landscape, and if the City appears to be screening too much. Urban areas with rural plantings can cause an issue with this, as well, in Mr. Fitzmaurice's opinion. He finds it difficult to achieve landscaping requirements in urban areas, specifically. Mr. Meade admitted that landscaping in those areas is difficult. He would like to encourage water-efficient, drought-tolerant evergreen materials that are well maintained. Larger spaces can involve shrubs and flowers, but taller, evergreen items need to be involved, too. Such landscaping needs to be planned very early in the site development, and Mr. Meade would like the City to encourage that. University Village in Seattle has some good examples of dense urban landscaping.

The CRC thanked Mr. Meade for his time, and urged him to continue communicating with the Commission regarding design standards. Staff has received no written comments concerning these standards from the public.

MOTION by Mr. Pantley, and seconded by Mr. Fitzmaurice, to close the verbal public hearing, but keep the written public hearing open. Motion passes unanimously.

DESIGN STANDARDS DISCUSSION AND STUDY SESSION, CONTINUED:

Mr. Pantley says he drew from Mr. Meade's testimony that when a new design comes in, it should not be shot down, but given a chance. Mr. Fischer noted that the staff has not shot down a project for being different. Mr. Fitzmaurice added that the Code should have some phrasing to encourage new and different design. Mr. Fischer noted that the City's design manual, which is still in development, will include that urging toward creativity. Mr. Pantley would like to make sure people do not feel like they have to spend thousands of dollars before they make an application.

Mr. Fischer says the City strongly recommends a pre-application meeting with the DRB. It is not required in the Code, and Mr. Fischer does not feel that is necessary for every project. However, if a project is large, City staff strongly encourages that pre-application meeting. Staff and the DRBlikes to see projects at the very early stages so there can be a discussion about design concepts before the project takes shape. Applicants who have done CAD drawings, in Mr. Fischer's opinion, have invested too much money already for a pre-application. At that point, an applicant can become defensive about their plans rather than engaging in a conversation about possibilities for the site. Other cities have different ideas. Seattle asks applicants to come in with three different alternatives, which can be very expensive.

At this point, the CRC took a short break.

Ms. McCormick spoke to Mr. Meade's comments about fountains. Other than Town Center, the City has no water features. She asked how such features could be encouraged. Mr. Fischer says codifying water features could turn into a problem, as too many might show up, but staff could encourage fountains in certain areas. Ms. McCormick also asked about the definition of balcony noted in the most recent edition of the Code, which did not match up with what the CRC had been discussing.

Mr. Pantley asked the CRC to consider moving forward to give direction to staff to address the design standard issues the Commission has identified. Mr. Churchill agreed with that idea, but wanted to make sure he answered Ms. McCormick's issues about design standards, too. Resolving these issues will happen on September 13th. Mr. Chandorkar asked about the BNSF right-of-ways on page 34, where the Code speaks to using these areas for trails or possibly returning them to rail use. He asked if light rail might be included in this issue. Mr. Churchill said this area of Code needs some updating. Ms. McCormick says if the rails are reactivated, they must keep in line with federal rail banking laws. Mr. Pantley expects more rail in this area in the future.

Mr. Churchill says Sound Transit will most likely be using this corridor, so light rail is expected here. Also, the BNSF corridor master planning process, which will determine the location of the trail, tracks, and other open spaces, is happening right now. Mr. Churchill would like to update the language in the Code when that master planning process is finished. Mr. Chandorkar is concerned about business orientation and access, and how the City could provide that orientation and still make it safe with light rail coming in. Mr. Churchill says in some cases, there would be a park and parking areas provided near the rail, but not in all areas. Mr. Chandorkar deferred his concerns about this until more information comes in.

Mr. Chandorkar asked about the Downtown and Overlake standards, and how they would be separated. Mr. Fischer says those standards will remain separate, as Overlake has some unique physical characteristics. Mr. Pantley said there would be some overlap, but Mr. Fischer pointed out the design standards would be unique for both areas.

On page 40, Ms. McCormick noted three spots where she would recommend using the word *shall* instead of *should*. She says that would fit better with City Council intent about providing green gateways, limiting signage, and dealing with the Sammanish River Trail. Mr. Pantley asked if there were any instances where that change would cause a hindrance, and no CRC members had any such instances. On page 44, there is a section about landscaping screenings for certain parking structures, and barriers for pedestrian walkways. Ms. McCormick says Town Center is the only place with such parking structures. Mr. Fischer agreed it was applicable only to Town Center, but he is not sure about the history of this segment in the design standards, and why it is there. Mr. Churchill says perhaps the Town Center achieves the intent in another way.

On page 39 and 40, Mr. Fitzmaurice asked about Downtown integration in the Town Center zone. He is trying to figure out how to incorporate signage, and other rules in this section. He suggested adding sections in another part of the Code to make the situation clearer. Mr. Fischer noted that these were the intent statements that Mr. Fitzmaurice was commenting on, and they speak to the areas that are the perimeter to the Town Center. Mr. Fischer said he could modify the map in this section and where the Town Center zone stops and starts.

Mr. Fitzmaurice also asked about screening throughout the Code, as he brought up before. He added, however, that he was concerned about the term *landscaping*, which appears to refer only to plantings in the Code. He says landscape architects do much more than simply place plants; fountains and other hardscape elements can be considered landscaping. Mr. Fischer agreed with that assessment, and will work on changing the Code to reflect that. Mr. Fitzmaurice has some general issues with parking he would like staff to consider. He would like more flexibility and creative solutions for parking. He supports the idea of creating a more pedestrian-oriented Downtown, but would like to allow businesses to have all the parking they need, too. Mr. Fischer says this issue will come up in the Development Standards 2 package.

On page 33, Mr. Pantley says he would like to avoid an absolute, as is written here, calling for materials on 100% of the facades. He says that idea does not work with the acceptance of blank walls, as discussed by the CRC earlier. Mr. Pantley says a building with architectural concrete would not be allowed in this way. Mr. Fischer suggested getting rid of the laundry list of materials, and simply have the Code say the walls should have superior exterior cladding materials.

On page 34, Mr. Pantley noted the Code said that if you are within 600', you can have parking to your building. He likes the rule, but also wants staff to consider a balance. He believes that offering 100% of your parking 600' away is a long distance. He suggested placing owners and managers even farther away, however. Mr. Fischer noted that he would consider some flexibility on that number.

On page 46, Mr. Pantley asked about another absolute, of preserving a minimum of 100% of all trees within the public open space. He noted that some trees have to be removed on some project. Mr. Fischer says this section of Code speaks to the large open space tracts on Town Center property, dealing especially with the Douglas firs in that area. Ms. McCormick suggested noting that in the Code, which Mr. Fischer said he would consider. Mr. Pantley noted that the Code should indicate that overall, trees should be saved, but in some cases, they would have to be cut down.

Also dealing with open space, Ms. McCormick noted on page 47 that Sammamish River open space ought to say *shall* instead of *should* when it comes to preserving that open space. Mr. Churchill was concerned that the Code headings below that, then, would be the required ways to make that preservation happen. He agreed with the word change, however. Mr. Fischer proposed making that list of preservation methods suggestions

rather than requirements. Mr. Fitzmaurice noted that in some flood situations, open space can be lost along riverbed areas. Mr. Churchill said he would look into that issue.

On page 48, Ms. McCormick asked about the issue of location regarding the Bear Creek Parkway extension. Mr. Churchill explained the area was Leary Way to Redmond Way on 159th, and added that this deals with redevelopment on that parkway.

Mr. Pantley asked Mr. Fischer about creating one section for BNSF corridor concerns. Mr. Fischer says that railroad right-of-way is a unique situation, but he would look into it. Mr. Fitzmaurice asked about that issue, too, but noted that he liked the current way the Code separates dealing with the BNSF corridor between the sections. Mr. Pantley says if possible, the Code should be shortened and simplified.

STAFF REPORTS AND SCHEDULING:

Mr. Churchill noted there was no meeting on September 6th, for the Labor Day holiday. The City Council will be looking at residential and urban recreation regulations the night after this meeting. Staff will bring up the CRC's request for flexibility in the standards, and will look for direction from the Council on that issue. Mr. Churchill asked the CRC members to make sure they let staff know about any planned absences.

ADJOURNMENT:

Temporary Chair McCormick adjourned the meeting at 8:40 p.m.

Minutes Approved On:

Code Rewrite Commission Chair

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