



## PLANNING COMMISSION MEETING MINUTES MARCH 15, 2017

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### CALL TO ORDER:

Chair called the meeting to order at 6:06 PM in the Council Chambers at 9611 SE 36th Street, Mercer Island, Washington.

### ROLL CALL:

Chair Suzanne Skone, Vice-Chair Richard Weinman, Commissioners Daniel Hubbell, Lucia Pirzio-Biroli, Bryan Cairns, and Tiffin Goodman were present. City staff was represented by Scott Greenberg, Director, Alison Van Gorp, Administrative Services Manager/Ombudsman, Evan Maxim, Planning Manager, Nicole Gaudette, Senior Planner, and Lauren Anderson, Assistant Planner.

Commissioner Jennifer Mechem arrived at 6:30 p.m.

### APPROVAL OF MINUTES:

The Commission reviewed the minutes from the March 1, 2017 meeting. The minutes were amended by Commissioner Pirzio-Biroli to add the following: "Commissioner Cairns noted that he had served on the Council with Dan Grausz and that it would not interfere with his ability to consider the appeal." Commissioner Goodman made a motion to adopt the minutes. The motion was seconded by Commissioner Hubbell. The minutes were approved by a vote of 6-0 (Mechem absent).

Motion to include memo provided by Mark Coen in the record for APL16-004 and 005. Motion was made by Commissioner Hubbell and seconded by Commissioner Weinman. The motion was approved by a vote of 5-1 (Mechem absent).

Motion to approve findings of facts for APL16-004 and 005 and direct chair to sign the decision. Motioned by Commissioner Hubbell and seconded by Commissioner Weinman. Approved 6-0 (Mechem absent).

Motion to modify the agenda March 15<sup>th</sup> to include the decision for APL17-001. Moved by Commissioner Weinman and seconded by Commissioner Pirzio-Biroli. Approved 6-0-1 (Mechem abstained).

Motion to approve findings of facts for APL17-001. Motion by Commissioner Goodman and seconded by Commissioner Weinman. Approved 6-0-1. (Mechem abstained).

### SPECIAL BUSINESS –APPEAL

**Agenda Item #1: APL16-004 & APL16-005 – Review and Approve Decision regarding the appeal of two Impervious Surface Deviation Land Use Decisions (DEV16-024 and DEV16-027)**

The Commission reviewed the Decision with Kim Adams-Pratt, Counsel for the Planning Commission.

Commissioner Goodman made a motion to adopt the minutes. The motion was seconded by Commissioner Hubbell. The minutes were approved by a vote of 7-0.

### APPEARANCES:

Mark Coen 3220 27<sup>th</sup> Ave SE – Provided comment about the deliberations related to APL16-004 and APL16-005. Mark Coen objected to the findings and conclusions, and had hoped his comments would be considered prior to a decision. Mark Coen also is interested in seeing the residential development standards to provide more tree protection and retention. The residential development standards should incorporate a requirement for professional risk assessment of full or partial tree failure should be used, such as the ISA basic tree risk assessment form.

Carolyn Boatsman 3210 74<sup>th</sup> Ave SE – Carolyn Boatsman provided comments about past deliberations. Carolyn Boatsman provided comments on the draft regulations, and expressed concerns about tree protection. She also advocated for more time in this process involving the public. Purpose statement in draft incorporates property values balanced with community values; property values should not be part of the purpose statement without more information. Neighborhood character language from the Comprehensive Plan should be in the purpose statement. Advocated for fostering single-family homes with additional impervious for single level homes that are accessible. She is concerned about deleting the impervious surface limit and maximum building coverage allowance.

Daniel Thompson 7265 N. Mercer Way – Commented the Mark Coen appeal and past deliberations. Expressed concerns regarding the findings and conclusions on the appeal related to a past administrative interpretation. Daniel Thompson expressed concern that the administrative interpretation was considered final and binding on the Planning Commission. He also indicated that he did not believe the administrative interpretation was supported by the current code. Believes that the code update currently won't be approved by the City Council, unless further improved.

Lynn Hagerman 3058 61<sup>st</sup> AVE SE - Thanked the Commission for regarding the community, not individuals. Lynn Hagerman requested that people to identify their interest when they come up, such as if they are realtors or developers. Regarding GFA, Lynn Hagerman indicated it was unclear if additional structures are addressed and the issue of combining multiple lots prior to development. Believes that we need to rethink fence deviations and that they proposed language is insufficient. Lynn Hagerman also indicated that trees protect neighborhood character. Comments asking for deviation, should include flag lots.

Phillis Chang 2988 74<sup>th</sup> Ave SE – Supports the comments made by Dan Grausz and Carolyn Boatsman. Phillis Chang highlighted height restriction and indicated that it should be measured from the lower of finished and existing grades. Regarding impervious surface limits Phillis Change is worried about the standard being eliminated. Phillis Change urged the Commission to take more time to update the code. Brought up how we should look ahead for long-term. Indicated the Commission should not be concerned about property rights, in regards to property value. Asked how we can modify restrictions to attract new residents.

Bob Medved 7238 SE 32<sup>nd</sup> ST - Mark Coen produced findings, circulated last week. Submitted after hearing but submitted as a record. He critiqued the process and stated that the findings should have been mentioned to the other Commissioners.

Robert Roh 7620 E. Mercer Way – Expressed concerns in reducing gross floor area from 45 to 40%, feels it will impact his property value and is against the reduction.

**REGULAR BUSINESS:**

**Agenda Item #2: ZTR16-004 Residential Design Standards**

Evan Maxim introduced new materials added to the Planning Commissioners' binders, and presented an overview of the review approach. He discussed the schedule, initial draft, review of amendments and next steps.

The Commission discussed the possibility of generating a survey, adding another subcommittee, and extending the timeline. They also discussed having an additional meeting, and added communication with Council members.

The Planning Commission reviewed the draft lot coverage standards, the draft gross floor area standards, and the draft daylight plane standards.

The Commission reviewed the proposed lot coverage amendments and directed staff to create a draft amendment that would require a percentage of the lot be developed as "soft scape". The soft scape standard should be designed to allow for a house that maximized GFA to be built on a single story. The soft scape standard should be approximately 50 to 60 percent of the lot area.

The Commission reviewed the GFA standards, proposed amendments, and the amendments to the definition of GFA. The Commission directed staff to provide a height limit threshold for clerestory and modify the provisions for covered decks.

The Commission reviewed the draft daylight plane standards and decided to not pursue this regulation further. Instead, the Commission directed staff to prepare draft language adopting variable setbacks to be applied to only new construction.

#### **OTHER BUSINESS:**

Roll call for the 3/29 meeting: Commissioner Pirzio-Biroli won't be there, Commissioner Hubbell will be there. The other Commissioners did not comment.

Evan Maxim reviewed the proposed meeting schedule through April 5th, 2017. The Commission would like to start the March 29<sup>th</sup> meeting at 6:00 pm. There is a subcommittee meeting March 22<sup>nd</sup>, Commissioner Goodman confirmed attendance. The second working tree subcommittee will be held on a date to be scheduled; Commissioner Hubbell confirmed attendance and indicated that he would invite a Design Commissioner.

Commissioner Goodman is unable to attend the April 5<sup>th</sup> Public Hearing.

#### **ANNOUNCEMENTS AND COMMUNICATIONS:**

None.

#### **NEXT MEETING:**

The next Planning Commission meeting is scheduled for March 29, 2017 at 6:00 p.m. at Mercer Island City Hall.

**ADJOURNMENT:** Chair Skone adjourned the meeting at 9:51 pm.