



## PLANNING COMMISSION MEETING MINUTES MAY 3, 2017

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### CALL TO ORDER:

Chair called the meeting to order at 6:01 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 Alison Van Gorp, Administrative Services Manager/Ombudsman, Evan Maxim, Planning Manager, Bio Park, Assistant City Attorney and Scott Greenburg, DSG Director.

### APPROVAL OF MINUTES:

The Commission reviewed the minutes from the April 5, 2017 meeting. Hubbell made a motion to approve the minutes, Cairns seconded. The minutes were approved unanimously.

The Commission reviewed the minutes from the April 19, 2017 meeting. Weinman made a motion to approve, Hubbell seconded. The minutes were approved unanimously.

Commissioner Jennifer Mechem arrived at 6:03 p.m.

### APPEARANCES:

Mark Coen 73<sup>rd</sup> Ave SE – Tree ordinances: generally likes what is included. Need clear standards for arborist to follow – suggests ISA. Need documentation to support the arborists decisions – transparency. Need to protect neighbors from cutting of tree roots. Where does money go when fines are levied for illegal tree removal – should go into a dedicated tree fund. Need to assess tree canopy to track effectiveness of tree regs.

Carolyn Boatsman 3210 74<sup>th</sup> Ave SE – Lot coverage provisions are improving. Need to remove structures from hardscape definition. Limit house and driveway to 40%. Fence heights should not be increased. Trees – we should try to save more, standard should keep “reasonable best efforts”, with 30% as a minimum. Need to map tree canopy. Need to incent preservation of native species.

David Youssefnia 8241 SE 30<sup>th</sup> St – Moved here from New York in 2009, like the quality of life. Focused on healthy, active living. Installed sport court in yard – pervious system. Amend code to allow pervious sport courts as pervious/softscape.

Shawna Youssefnia 8241 SE 30<sup>th</sup> St – Grew up here and returned as adult. Kids these days want to play video games, they don't play outside as much as the kids in the '70's and '80's. Muddy yard isn't a good place to play. Sport court encourages kids to play outside every day – healthier and happier. Please allow pervious sport courts

Marilyn O'Neill 3881 West Mercer Way - Grew up here, lived here for years, has had a sport court for years. Neighborhood has used the sport court extensively. City should look for other ways to manage stormwater. Prohibiting sport courts would be a shame. Please reconsider.

Brent Carson 719 2<sup>nd</sup> Ave, Seattle – Attorney representing Youssefnia's. Driveway, stairs,

walkways, porches, decks, etc need to squeeze into very small percentages. We should encourage sport courts/outdoor activity. The code as proposed will prohibit sport courts. Pervious sport courts should be allowed as softscape.

Jordan Rose Youseffnia – 8241 SE 30<sup>th</sup> St – really likes sportcourt, uses it for basketball, pickelball and skateboarding

Max Youseffnia 8241 SE 30<sup>th</sup> St – sportcourt allows him to be active all year, please consider changing the code

Laila Youseffnia 8241 SE 30<sup>th</sup> St – really likes sportcourt, brother plays there with her, great place to play. Please change the rules.

Scott Jacobson 2718 60<sup>th</sup> Ave SE – Just finished building 3<sup>rd</sup> house on island, considered a sport court but realized he couldn't put one in due to code requirements. Pervious courts should be allowed.

Rob Wolfe 2208 80<sup>th</sup> Ave SE – lived there since 1999. Has a sport court, a huge benefit to family and friends. Many physical and mental benefits – gathering place for neighborhood all year. Safe place for kids to play. Sport courts should be allowed.

Lynn Hagerman 3058 61<sup>st</sup> Ave SE – didn't realize sport courts would have to be torn out. If percentages can't be met, we should move towards smaller homes. Trees – canopy should be protected to maintain public health benefits, in addition to aesthetics. Need to define single family homes. Shouldn't increase fence height. Scale of homes to lot and neighborhood should be the objective, not encouraging single story homes. Need to map tree canopy.

Mary Wagner – 7432 SE 71<sup>st</sup> – Covenants and property value is really important. Please consider.

Pat MacDonald 6315 76<sup>th</sup> Ave Se – Sport courts should be kept. Need to take a bigger look at potential unintended consequences in general. New sport courts are an opportunity to improve drainage to new standards – could be more beneficial to hillsides. Concerned about people putting these in without permits – not to code, won't meet drainage standards. Don't want to create enforcement problems.

Daniel Thompson 7265 N. Mercer Way – discussed Council action on updates to appeals process. Building height – would like a 25 ft limit. Would like to see more 1 story houses. Likes 40% FAR. Trade-offs exist between all of the provisions under consideration.

Dan Grausz 3215 74<sup>th</sup> Place SE – agrees with Carolyn Boatsman about driveways – need to be included as part of the 40%. Otherwise we are increasing the size of the structures. Proposal actually increases allowance for sportcourts. He would support inclusion of pervious sport courts. Height – measure with same method as town center. Fences – do not move forward on staff proposal of 72" fences.

## **REGULAR BUSINESS:**

### **Agenda Item #1: ZTR17-003 Essential Public Facilities**

Scott Greenburg provided an explanation of the proposed ordinance and asked Commission to review, discus and provide direction to staff regarding the proposed draft. Essential public facilities (EPF's) are typically difficult to site, including regional transit facilities among many other examples.

City needs criteria for EPF's but cannot preclude the siting of these facilities. Mr. Greenburg clarified that the draft would be updated to have a single definition of EPFs, eliminating the distinction of federal/state/regional in the current draft.

Based on direction from the Commission, the Assistant City Attorney will revise the next draft to be more specific about changes that can be made by hearing examiner (reasonable and on-point).

The Planning Commission at 7:05 adjourned until 7:15 pm.

Scott Greenburg left the meeting at 7:06 pm

The meeting was called back to order at 7:15 pm.

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

Evan Maxim provided an overview of Addenda #4, which is a re-write of the tree regulations, largely based on guidance from subcommittee as well as comments from Commission and public. The Commission discussed the draft language and provided the following direction to staff:

- Remove landmark tree provision
- View easements: maintain current standard
- Add exceptional trees as a priority to retention standards
- Maintain 30% tree retention, plus reasonable best efforts
- Amend purpose statement to add public health; consider striking the first sentence of purpose statement and consolidating some of the bullets below
- Encourage retaining groves of trees

Commissioner Mechem left the meeting at 8:28

The Planning Commission adjourned at 8:31 pm.

The meeting was called back to order at 8:37 pm.

Evan Maxim summarized the proposed revisions to Addenda #1 on lot coverage. The Commission discussed the draft language and provided the following direction to staff:

- Planning Commission supports the revisions to percentages proposed by staff.
- Driveways should be included in the 40% of non-landscaped lot coverage
- Up to 25% of the required 60% softscape can include at-grade pervious materials including patios, decks and sport courts.

Evan Maxim provided an overview of Addenda #5, regarding the fence height regulations. The Commission discussed the draft language and provided the following direction to staff:

- Maintain allowance for 18" of lattice on top of allowed fence height for rear and side yards.
- Maintain allowance for 90" gateway feature at front walk
- Maintain 42" limit for fences in front yard setback. Eliminate 42" limit on non-front yard street fronts.
- Add allowance for front yard fence height to be increased to 72" (plus up to 18' of lattice) under specific circumstances
  - Located on Island Crest Way or SE 40<sup>th</sup> St
  - Fence must be set back 5' from right of way property line with landscaping in front
  - Does not create a safety hazard

Evan Maxim provided an overview of the other substantive amendments including setback deviations and calculation of building height. The Commission discussed the draft language and provided the following direction to staff:

- Maintain setback deviation
- Maintain deviations as an administrative decision
- Maintain previously proposed approach for building height calculation – 30’ above ABE and 30’ max on downhill elevation measured from existing or finished grade, whichever is lower
- Staff will bring back a new proposal on Preferred Practices
- Remove reasonable best efforts from variance/deviation criteria
- Reduce side yard setback from a street from 5’ to 10’ (for lots with 2 street frontages)

**OTHER BUSINESS:**

None.

**ANNOUNCEMENTS AND COMMUNICATIONS:**

None.

**NEXT MEETING:**

The next Planning Commission meeting is scheduled for May 17, 2017 at 6:00 p.m. at Mercer Island City Hall. A joint Study Session will also be held with the City Council on May 8, 2017 at 6:00 p.m. at Mercer Island City Hall.

**ADJOURNMENT:** Chair Skone adjourned the meeting at 10:38 pm.