



## PLANNING COMMISSION REGULAR MEETING AGENDA

Wednesday, May 30, 2018  
Mercer Island City Hall

### CALL TO ORDER & ROLL CALL

6:00 PM

### MINUTES

May 16, 2018

### APPEARANCES

This is the time set aside for members of the public to speak to the Commission about issues of concern. If you wish to speak, please consider the following points:

- Speak audibly into the podium microphone
- State your name and address for the record
- Limit your comments to three minutes

*The Commission may limit the number of speakers and modify the time allotted.  
Total time for appearances: 15 minutes*

### REGULAR BUSINESS

#### **Agenda Item #1: CPA18-001 – Town Center Comprehensive Plan Amendment**

Introduction of the proposed amendment identified on the Comprehensive Plan docket as item No. 13 related to the Town Center. Allowing additional height in some Town Center subareas, in return for additional height allowances.

#### **Agenda Item #2:**

#### **CPA18-001 – Disaster Preparedness Comprehensive Plan Amendment**

Review of a draft of language for Comprehensive Plan amendment No. 9 related to disaster preparedness.

#### **CPA18-001 – STAR Comprehensive Plan Amendment**

Review of a draft of language for Comprehensive Plan amendment No. 12, creating support for the use of the STAR framework.

### OTHER BUSINESS

Planning Manager report  
Planned Absences for Future Meetings  
Next Regularly Scheduled Meeting: June 6, 2018 at 6:00PM

### ADJOURN

### PLANNING COMMISSIONERS

Carolyn Boatsman  
Bryan Cairns  
Tiffin Goodman, Vice-Chair  
Daniel Hubbell, Chair  
Jennifer Mechem  
Lucia Pirzio-Biroli  
Ted Weinberg

PHONE: 206-275-7729  
WEB: [www.mercergov.org](http://www.mercergov.org)

AGENDA TIMES ARE APPROXIMATE

CITY COUNCIL CHAMBERS - MERCER ISLAND CITY HALL  
9611 SE 36TH STREET; MERCER ISLAND, WA 98040



## **PLANNING COMMISSION MEETING MINUTES MAY 16, 2018**

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### **CALL TO ORDER:**

The Planning Commission was called to order by Chair Daniel Hubbell at 6:06 PM in the Council Chambers at 9611 SE 36th Street, Mercer Island, Washington.

### **ROLL CALL:**

Chair Daniel Hubbell, Vice Chair Tiffin Goodman, Commissioners Ted Weinberg, Lucia Pirzio-Biroli, Bryan Cairns, Carolyn Boatsman and were present. Commissioner Jennifer Mechem was absent.

City staff was represented by Evan Maxim, Planning Manager, Andrea Larson, Administrative Assistant, Bio Park, Assistant City Attorney, Nicole Gaudette, Senior Planner, Andrew Leon, Planner.

Commissioner Weinberg moved to approve the May 2, 2018 minutes, Commissioner Cairns seconded the motion. The minutes were approved as amended 5-0-1, Commissioner Boatsman abstained.

### **APPEARANCES:**

Dan Thompson, 7265 N Mercer Wy, Mr. Thomason commented on the Citizen Survey. Mr. Thompson commented on the Arts Council Comprehensive Plan amendment. Mr. Thompson commented on the levels of service regarding the Transportation Comprehensive Plan amendment. Mr. Thompson also summarized his submitted written comments.

### **PUBLIC HEARING:**

#### **Agenda Item #1: ZTR18-001 – Procedural Code Amendment**

The Commission re-opened the public hearing to consider proposed code amendments to the procedural regulations.

Dan Thompson, 7265 N Mercer Wy. Mr. Thompson indicated that the Council did not suggest that DSG change the way projects are categorized to the typing system purposed. Mr. Thompson commented on the notice of application process and its' importance. Mr. Thompson asked why the notice requirements are being changed.

Gary Robinson 6026 E Mercer Wy. Mr. Robinson expressed his agreement with Mr. Thompsons comments.

Chair Hubbell closed the public hearing.

Nicole Gaudette, Senior Planner, provided a staff presentation on the proposed code amendments to the procedural regulations.

The Commission expressed a preference to retain public notification, either in the form of a notice of application, or possibly a public notification tool. The Commission directed staff to retain the current levels of public notice, and to explore the development of a "public notification" process in addition to the current Notice of Application and Notice of Decision processes.

Commissioner Pirizo-Biroli requested clarification on special needs housing.

The Commission discussed the process for preliminary long plat approvals. Staff indicated that preliminary plats were commonly reviewed by a Hearing Examiner, given the quasi-judicial nature of the preliminary plat approval process.

## **Agenda Item #2: ZTR18-003+ – Code Cleanup Code Amendment**

The Commission opened the public hearing to consider proposed code amendments to clarify existing development standards.

Daniel Thompson, 7265 N Mercer Wy. Mr. Thompson commented on the building height regulations indicating that the regulations should not exclude the smaller non-conforming lots that are on Mercer Island.

Chair Hubbell closed the public hearing.

Andrew Leon, Planner, gave a staff presentation overviewing the code cleanup code amendment.

Commissioner Pirzio-Biroli stated that a cross reference to the standard should be included in the definition for “average building elevation”.

The Commission discussed the proposed addition to the code cleanup provided in the public comments on the April 4<sup>th</sup>, 2018 public hearing, related to the height of fences on retaining walls for fill slopes in side yards. The Commission decided to include this addition in the code cleanup code amendment.

Commissioner Boatsman made a motion to recommend that the City Council approve the proposed amendments to Mercer Island City Code (MICC) Title 17 and 19, as detailed in Exhibits 1 and 2, provided that the proposed amendment shall be modified as follows:

- Incorporate the staff proposed language on the 72” fence height change on fill wall heights;
- 19.08.050(C)(1)(f) add the word “legal” in front of the word “description”;
- Amend the definition of “average building elevation” in 19.16.010 to refer to the formula in 19.02.020.

Weinberg seconded the motion. The motion passed 6-0-0

Commissioner Boatsman indicated that the Planning Commission should continue the conversation regarding allowable fence height on corner lots.

The Commission recessed at 8:11PM

The Commission reconvened at 8:19PM

## **REGULAR BUSINESS:**

At the request of staff, the Planning Commission moved their review agenda item #4: ZTR18-002 – Transportation Comprehensive Plan Amendment, to be the third agenda item of the night.

## **Agenda Item #4: ZTR18-002 – Transportation Comprehensive Plan Amendment**

Michael LaPham, with KPG, gave a presentation on the initial draft of comprehensive plan amendments prepared by the City’s transportation consultant updating transportation level of service in the Comprehensive Plan.

The Commission discussed the initial draft of the comprehensive plan amendments.

The Commission discussed the LOS grading of the intersections provided by KPG.

Vice-Chair Goodman indicated that staff should look at corridor level of service for key corridors.

The Commission indicated that multi-modal transportation should be considered.

## **Agenda Item #3: Arts Comprehensive Plan Amendment**

Evan Maxim, Planning Manager, gave a staff presentation on the initial draft of comprehensive plan amendments prepared by the Arts Council, supporting Cultural Arts.

The Commission discussed the initial draft of the arts comprehensive plan amendments.

Commissioner Pirzio-Biroli indicated vision statement should be included in the introduction of the Land Use Element.

Commissioner Boatsman indicated that she would like to see the STAR rating system brought back on the next review of the arts comprehensive plan amendments.

**OTHER BUSINESS:**

Evan Maxim, Planning Manager, provided a Planning Manger report regarding the Tully's site and potential rezone of Sunset Highway and a part of Greta M Hackett Park.

**PLANNED ABSENCES**

None.

**NEXT MEETING:**

The scheduled joint Planning Commission and City Council Meeting is on May 22 at 5:30pm at Mercer Island City Hall.

The next scheduled Planning Commission special meeting will be May 30, 2018 at 6:00PM at Mercer Island City Hall.

**ADJOURNMENT:**

Chair Daniel Hubbell adjourned the meeting at 9:34pm.



## **DEVELOPMENT SERVICES GROUP**

9611 SE 36TH ST., MERCER ISLAND, WA 98040  
(206) 275-7605

**TO:** Planning Commission

**FROM:** Evan Maxim, Planning Manager

**DATE:** May 30, 2018

**RE:** **2018 Comprehensive Plan Amendments Nos. 9 and 12 – 2<sup>nd</sup> Meeting**

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### **Summary**

Following Planning Commission confirmation of the direction on February 7, 2018, the City staff has prepared several draft amendments for further review by the Planning Commission on May 30, 2018 (Attachments A & B).

On May 16, 2018, the staff is seeking Planning Commission guidance on:

1. Any preliminary revisions or corrections needed on either amendment; and,
2. Additional information that the Planning Commission will need to form a recommendation.

### **Background**

Amendment #9. The Mercer Island Comprehensive Plan briefly discusses disaster preparedness in the Capital Facilities and Utilities elements, however it does not provide broad policy support the City's current and anticipated disaster planning efforts. The City currently has a Comprehensive Emergency Management Plan (CEMP), which represents the coordinated efforts of all City departments. The CEMP emphasizes mitigation, preparedness, response, and recovery activities.

Following the Planning Commission's introduction to this item on February 7, 2018, the City staff has prepared a Comprehensive Plan amendment (Attachment A) that provides a policy basis for both the current CEMP activities, and anticipated ongoing local and regional coordination efforts. On February 7, 2018, the Planning Commission emphasized the need to: A) create a policy basis for continuing to partner with local, regional, state, and national agencies and organizations, and B) continue to improve and enhance the City's planning efforts. The proposed goal and associated policies will be located in the Land Use Element for the purposes of consolidation and would provide direction and support for all related City regulations and programs.

Amendment #12. The City Council has directed that the City consider creating goals and policies supporting the use of the STAR rating system in evaluating City decision making processes. A copy of the STAR Communities framework was distributed electronically to the Planning Commission on March 22,

2018; a hard copy is also available upon request. The STAR Communities framework or rating system provides a means by which the City may: A) review Mercer Island's current success in supporting local sustainability; and B) evaluate legislative decisions and other programs through a sustainability "lens". The Planning Commission has focused their discussion on item "B)"; the City Council has already imitated the first phase of the assessment described in item "A)".

During the Planning Commission's discussion regarding STAR and legislative analytics on February 7, 2018, the staff understood that the Planning Commission supported the idea of using the STAR framework, or possibly a similar assessment framework, as an aid to their review of proposed Comprehensive Plan or Code amendments. For example, an analytic tool like the STAR framework would be useful in identifying areas where legislative amendments could be modified to address sustainability goals. The Planning Commission did not appear to reach consensus on whether the specific analytical tool (i.e. STAR Communities) should be named with the Comprehensive Plan, nor did the Planning Commission reach consensus on whether the use of this type of analytic approach should be incorporated into the Comprehensive Plan.

Staff has drafted language that supports the use of the STAR framework, or a similar analytical framework, for review by the Planning Commission. Staff anticipates that additional direction or discussion by the Planning Commission will occur on May 30, which will inform the final draft of the proposed amendment.

### **Next Steps**

Presuming no further Planning Commission review is required after May 30, 2018, these items will not be reviewed further prior to the August 29, 2018 public hearing on all the proposed Comprehensive Plan amendments and will be queued up for a final review with the Planning Commission in August or September of 2018.

I welcome questions you may have at this stage of the process, as well as topics that you would like covered during the May 30<sup>th</sup> meeting. If you provide questions in advance, staff will attempt to address them at the meeting. I can be reached at [evan.maxim@mercergov.org](mailto:evan.maxim@mercergov.org) or 206-275-7732.

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### **Attachments:**

- A. Draft Comprehensive Plan Amendment No. 9
- B. Draft Comprehensive Plan Amendment No. 12

# 2018 Comprehensive Plan Amendment No. 9 – Draft Text

## Amendment 9 – Disaster Planning and Recovery

Amend the Land Use Element to amend the Introduction to read:

Amend the Land Use Element to create a new Goal 22, which reads:

Goal 22: Maintain and enhance current community emergency preparedness and planning efforts.

Amend the Land Use Element to create new policies 22.1, 22.2 22.3, 22.4, 22.5, and, 22.6 which read:

22.1 Regularly review and update the City's emergency management plans.

22.2 Identify, and implement, necessary enhancements to the City's emergency planning and preparedness program.

22.3 Coordinate with, incorporate, and support, the emergency management preparedness and planning efforts of local, regional, state, and national agencies and organizations.

22.4 Maintain current local community emergency preparedness programs, including volunteer coordination, City staff drills, and community outreach and education programs.

22.5 Adopt regulations and programs to mitigate and control hazards that are created by a natural event. For example, the creation of a new landslide hazard area resulting from a naturally occurring slope failure.

22.6 Continue to develop an action plan for mid to long term development review for necessary re-building after an emergency event.

# 2018 Comprehensive Plan Amendment No. 12 – Draft Text

## Amendment 12 - Introduction

Amend the Land Use Element to amend the Introduction to read:

“... From 2010 to 2014, with the entire community’s sustainability in mind, the City has implemented a wide range of outreach programs, efficiency campaigns, alternative energy initiatives, land-use guidelines, and other natural resource management measures designed to minimize the overall impacts generated by Island residents, for the benefit of future generations. Due to the 20-year horizon envisioned by this comprehensive plan, it is especially appropriate to include measures that address the long-term actions needed to reduce greenhouse gas emissions, ideally in collaboration with other local governments. Actions that the City will take in the management of its own facilities and operations are addressed in the Capital Facilities Element of this plan. In 2018, the City continued to promote and support sustainable development, through the development of green building goals and policies for all residential development.

Beginning in 2018, the City assessed the City’s strengths and weaknesses in supporting sustainably using the STAR Communities framework. Information from this assessment, along with the ~~These~~ measures discussed above, and others under consideration, ~~are~~ will be identified in more detail in a rolling 6-year Sustainability Plan, to be adopted in ~~2019~~2016, which will guide the City’s internal and external actions while taking into account the interrelated issues of climate change, population change, land use, public infrastructure, transportation choices, natural resources management, quality of life, public health, and economic development.”

Amend the Land Use Element to create a new Goal 21, which reads:

Goal 21:            Use the STAR Community framework, or a similar assessment framework, to assess the City’s support of sustainable practices.

Amend the Land Use Element to create new policies 21.1, 21.2, and 21.3, which read:

21.1    Assess the City’s strengths and weaknesses in supporting local sustainability, using the STAR Communities framework or similar assessment framework, and identify desired programs or policies supporting local sustainability.

21.2    Assess the effect of new Comprehensive Plan or development regulation amendments on sustainability.

21.3    Assess the effect of new City programs on local sustainability.





## DEVELOPMENT SERVICES GROUP

9611 SE 36TH ST., MERCER ISLAND, WA 98040  
(206) 275-7605

**TO:** Planning Commission

**FROM:** Evan Maxim, Planning Manager

**DATE:** May 30, 2018

**RE:** **2018 Comprehensive Plan Amendments No. 13– Introduction**

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### Summary

On November 6<sup>th</sup>, 2017 the City Council passed Resolution 1534 (Attachment A) establishing the 2018 Comprehensive Plan amendment docket. Comprehensive Plan Amendment No. 13 is related to allowing development within the Town Center to increase in height, provided additional public amenities are provided.

On May 30, 2018, the staff is seeking Planning Commission guidance on:

- A) The direction on the proposed amendment; and,
- B) Additional information that the Planning Commission anticipates needing.

### Background

Amendment #13. The Comprehensive Plan docket item indicates that the staff and Planning Commission should encourage the development of public amenities by allowing for an increase in building height, or an expedited approval procedure. The Comprehensive Plan currently contains several goals and policies related to building height and public amenities in the Town Center:

*“GOAL 2: Create a policy and regulatory structure that will result in a diversity of uses that meets Islanders’ daily needs and helps create a vibrant, healthy Town Center serving as the City’s business, social, cultural and entertainment center.*

- 2.1 *Use a variety of creative approaches to organize various land uses, building types and heights in different portions of the Town Center.*

*GOAL 3: Have a mixture of building types, styles and ages that reflects the evolution of the Town Center over time, with human-scaled buildings, varied height, set-backs and step-backs and attractive facades.*

- 3.1 *Buildings taller than two stories may be permitted if appropriate public amenities and enhanced design features are provided.*
- 3.2 *Locate taller buildings on the north end of the Town Center and step-*

*down building height through the center to lower heights on the south end, bordering Mercerdale Park.*

- 3.3 *Calculate building height on sloping sites by measuring height on the lowest side of the building.*
- 3.4 *Mitigate the “canyon” effect of straight building facades along streets through use of upper floor step-backs, façade articulation, and similar techniques.*
- 3.5 *Buildings on larger parcels or with longer frontage should provide more variation of the building face, to allow for more light and create the appearance of a smaller scale, more organic, village-like development pattern. Building mass and long frontages resulting from a single user should be broken up by techniques such as creating a series of smaller buildings (like Island Square), providing public pedestrian connections within and through a parcel, and use of different but consistent architectural styles to create smaller building patterns.*
- 3.6 *Building facades should provide visual interest to pedestrians. Street level windows, minimum building set-backs, on-street entrances, landscaping, and articulated walls should be encouraged.” (highlighting added)*

The intent of the proposed Comprehensive Plan amendment is to allow for a limited height increase for additional public amenities. Staff anticipates that the Planning Commission may desire to focus this Comprehensive Plan amendment on the north side of the Town Center, and identify a list of desired public amenities that would warrant additional height.

Staff is seeking additional guidance from the Planning Commission regarding the desired scope of this proposed amendment.

### **Next Steps**

At the May 30th meeting, staff will provide a brief overview of the Comprehensive Plan Amendments, answer questions the Planning Commission may have, and seek input. Staff will request the Commissioners’ input on the following:

- A) The direction on the proposed amendment; and,
- B) Additional information that the Planning Commission anticipates needing.

Based upon the provided direction and discussion tonight staff anticipates returning to the Planning Commission for further review in June or July of 2018.

I welcome questions you may have at this stage of the process, as well as topics that you would like covered during the May 30th meeting. If you provide questions in advance, staff will attempt to address them at the meeting. I can be reached at [evan.maxim@mercergov.org](mailto:evan.maxim@mercergov.org) or 206-275-7732.

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### **Attachments:**

- A. Resolution 1534

**CITY OF MERCER ISLAND  
RESOLUTION NO. 1534**

**A RESOLUTION OF THE CITY OF MERCER ISLAND, WASHINGTON,  
ESTABLISHING THE CITY'S 2018 COMPREHENSIVE PLAN AMENDMENT  
DOCKET**

WHEREAS, the City of Mercer Island is required to plan under the Growth Management Act of 1990, as amended, including adopting and regularly updating and amending its Comprehensive Plan; and

WHEREAS, the Growth Management Act allows the City to amend the Comprehensive Plan on an annual basis; and

WHEREAS, public notice of the opportunity to apply for Comprehensive Plan amendments for 2017 was provided on August 16, 2017; and

WHEREAS, on October 18, 2017, the City of Mercer Island Planning Commission held a public meeting to allow for interested parties to comment on a preliminary docket of amendments and made a recommendation to the Mercer Island City Council on a final docket of amendments to be considered in 2018; and

WHEREAS, on November 6, 2017, the Mercer Island City Council held a public meeting to consider the Planning Commission's recommended final docket of amendments to be considered in 2018;

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF MERCER ISLAND, WASHINGTON AS FOLLOWS:

1. The City Council directs City staff and the Planning Commission to analyze, study, and make recommendations to the City Council on the proposed Comprehensive Plan amendments listed on the final docket attached hereto as Exhibit A.

PASSED BY THE CITY COUNCIL OF THE CITY OF MERCER ISLAND, WASHINGTON, AT ITS REGULAR MEETING ON THE 6th DAY OF NOVEMBER 2017.

CITY OF MERCER ISLAND



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Bruce Bassett, Mayor

ATTEST:

  
\_\_\_\_\_  
Allison Spietz, City Clerk

## RESOLUTION NO. 1534—EXHIBIT A

### 2018 Preliminary Comprehensive Plan Docket

Item No.	Proposed By	Potentially Affected Section, Goal or Policy	Summary of proposal
1	City	Land Use Element / Land Use Map	Update the Land Use Element / Land Use Map for clarity and accuracy of map designations
2	City	Capital Facilities Element / Capital Facilities Plan	Update the Capital Facilities Plan in conjunction with the budget
3	City	Transportation Element	Update to address traffic modeling, LOS, non-motorized, and I-90 changes.
4	City	Land Use Element	Add policy support for participation in the King County Public Benefit Rating System
5	City	Land Use Element	Develop goals and policies supporting the requirements of the City National Pollution Discharge Elimination System (NPDES) permit and supporting low impact development.
6	City	Land Use Element	Develop goals and policies supporting the cultural arts
7	City	Land Use Element	Critical areas ordinance update - placeholder
8	Citizen	Land Use Element / Land Use Map. Potentially Transportation & Housing Elements	Create a new land use map designation “Private Community Facilities” or similar, for the properties currently occupied by the JCC, French American School, and Herzl-Ner Tamid (approximately 18 acres). This amendment to be accompanied by a zoning map and zoning code amendment.
9	Planning Commission	Land Use Element	Develop goals and policies supporting disaster planning and recovery.
10	Planning Commission	Housing Element	Develop goals and policies to promote universal design, disability access, and age friendly planning on Mercer Island
11	City Council	Land Use Element / Housing Element	Green incentive for single-family residential new construction projects
12	City Council	Land Use Element / Housing Element	Star Communities – placeholder
13	City Council	Land Use Element	Develop goals and policies that would more closely tie Town Center height allowances to the encouragement of public amenities including an expedited procedure that would enable property owners/developers to get tentative approval of additional height allowances based on proposed amenities
14	City Council	Land Use Element	Develop goals and policies that would support Planned Unit Development (PUD) proposals for new subdivisions in order to facilitate lot sizes that would encourage less expensive housing options