



## PLANNING COMMISSION

May 7, 2019

## MINUTES

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### I. CALL TO ORDER

Chair Judi Roland called the meeting to order at 7:01 p.m. in the Council Chambers located on the first floor of Auburn City Hall, 25 West Main Street, Auburn, WA.

#### a.) ROLL CALL/ESTABLISHMENT OF QUORUM

Planning Commission Members present were: Chair Judi Roland, Commissioner Mason, Vice-Chair Lee, Commissioner Moutzouris, Commissioner Khanal, Commissioner Stephens was excused.

Staff present included: Planning Services Manager Jeff Dixon, Senior Planner Thaniel Gouk, Senior Planner Dustin Lawrence and Community Development Administrative Assistant Jennifer Oliver.

Members of the public present: John Fisher with Inland Construction, Scott Morris with Inland Construction, Rick Mrasz with WA State Dept. of Ecology, Neil McLited with WA State Dept. of Ecology.

#### b.) PLEDGE OF ALLEGEANCE

### II. APPROVAL OF MINUTES

#### A. April 2, 2019

Administrative Assistant Jennifer Oliver informed the Commission that In the April 2, 2019 minutes Under "Roll Call/Establishment of Quorum" it stated that Commissioner Shin was present, when in fact he had resigned. Commissioner Khanal was also added to the Roll Call. The minutes have been adjusted accordingly.

Commissioner Khanal moved and Commissioner Lee seconded to approve the minutes from the April 2, 2019 meeting as corrected.

MOTION CARRIED UNANIMOUSLY. 5-0

### III. PUBLIC HEARING

No items brought forward

#### IV. OTHER BUSINESS

##### A. Inland Construction Introduction and Presentation

Inland Construction to inform Planning Commission of potential acquisition of RPG property.

Planning Services Manager, Jeff Dixon provided background information that would be useful for the Commission. Inland Construction is interested in acquiring the Robertson Properties Group (RPG) property holdings, which is the former Valley Six Drive-In site and a few adjacent parcels. The total site is approximately 70 acres. The City has been looking forward to development of this particular property for some time. A development agreement was approved by Council in 2011. The agreement allowed flexibility for the developer as well as some relief of City standards in exchange for the City to get higher quality development. Discussions are in the early stages with Inland Construction. City Staff has met with Inland on several occasions for multiple hours to discuss the development, the vision and working towards additional approvals needed. Zoning Code changes could come before the Planning Commission over the next several meetings. Because of future actions, it was important for the Planning Commission to meet and hear from Inland Construction. Staff showed the Commission 2 maps and explained that complicating the development proposal for the site is a future floodplain map change by the Federal Emergency Management Agency (FEMA). The Commission asked staff to point out exactly where the old theater was on the map to better understand the layout of the site. Chair Roland asked if the name would continue to be "Auburn Gateway". Staff replied that has been the name used by RPG, so it has continued in use, it also could be subject to change.

Staff noted that some of the approvals will require consideration and action on a recommendation by the Planning Commission. So far staff has identified that project changes will necessitate changes to three sections of the zoning code; the chapter dealing with the Planned Action (ACC 18.08)—this is provision that deals with the SEPA processing, the development standards of the C-4, Mixed Use Commercial zoning district (ACC 18.23), and the chapter on performance standards associated with mixed use development (ACC 18.57).

Scott Morris from Inland Construction gave a brief description of the company Inland Construction and its types of developments. The company is from Spokane. Inland has properties it has developed throughout the Western United States and half of their properties are in Washington. Many of those properties are along the I-5 Corridor. Mr. Morris indicated they will be long-term owners of the property and are excited for the opportunity to work with the City of Auburn. The site is the subject of a development agreement from 2011, it was discovered that particular agreement from 2011 was meant to expedite development but has not had that result. Inland is hoping to expedite the development process.

John Fisher from Inland Construction indicated that they have been working with staff for several months and put together a good vision for the project: same commercial and residential land use space but with horizontal mixed use. Healthy life style is a focus and vision. The residential component will be to the south, and commercial to north. This will be connected through the "heart" which is a gathering open space area for the community. Their focus is amenity rich living, which consist of trails, pools, garden space (See the Inland presentation) Create activity space that will draw people to come to Auburn. Inland's goal for Commercial space would consist of community-based businesses such as Gosankos, a brewery, and local businesses. There is also a summer outdoor theater event space that consist of a grassy area that could hold summer concerts, outdoor movies, food trucks and so on. It is a goal to create a destination for businesses to thrive once they are there.

Residences: Copper Gate is the residential space for the Auburn Gateway project. Larger apartments with 3 and 4 bedroom options is a priority. CPTED Designs and landscape as well as interior and exterior energy efficient and environmentally friendly residences. May have a place for animals such as an off leash park integrated into the space based on feedback from Council. Feedback from the Planning Commission as well as staff on any ideas for the new area is also welcomed.

In order to achieve all of the ideas and plans, Inland Construction is asking for some changes to the development agreement and text changes to the zoning code. They are not trying to change the intent of the project, just want to make minor changes and add more flexibility for both vertical and horizontal configuration as a way to achieve what can be executed.

The Commission asked who would build the retail space that would be available at the site. Inland stated that they have not actively marketed the retail portion yet as it is still a little premature but they would build the residences and could possibly build the commercial space, as they are also a general contractor. However, there was not a decision on that at this time. It would depend on the commercial companies coming in and what they are seeking. As the owner, they are heavily involved with the asset management and the management in general of their communities.

Chair Roland asked if a business were to come in can, they buy that part of the property and Inland confirmed that they could.

Commissioner Khanal questioned if any of the housing being built will be affordable housing. Inland confirmed yes, the project is receiving financial incentives based on it being affordable housing.

The Commission also asked about the timeline and Inland stated the first part of December 2019 the goal was to take over and purchase the site. Spring 2020 will be full construction. First building turn over would be fall of 2020

Commissioner Mason stated that she feared local business's would vacate or be drawn away from the downtown core by this new Gateway site. Inland stated that they also had concerns about that as well. They reassured that the downtown Auburn area is attracting new development and working really well. Inland does not want to take away businesses and the vitality of the downtown core. They would like to see a horizontal component added to this new site to give a new look and feel.

The Commission asked what is the comparison to the original footprint in the RPG plan to Inland's plan and how does this relate to the amount of resulting traffic. Does it match or is it less or more, possibly the same? Mr. Fisher replied that the development proposal is for less development overall. 500 dwelling units allowable was previously studied. The amount of future retail space is depending on the FEMA floodplain zone, 90,000 to 200,000 square feet of retail depending on full build out is estimated. Traffic impact analysis is showing roughly a fifth of the original anticipated full build out when it comes to peak PM traffic counts.

Vice Chair Lee asked would that change the infrastructure work that was planned for the site in the RPG proposal compared to what Inland is proposing in terms of the local area. Mr. Fisher replied that Inland understands the City's desire for improvements for the 49<sup>th</sup> Street and the I street NE connection. Completing these is anticipating as part of our development. In areas outside of the focus of development, downstream patterns were not impacted as much as the original plan. The discussion of off-site improvements such as traffic signals and where they are installed is something they are working on with the City staff, currently.

The Commission asked if there has been any discussion or meetings with the Auburn School District. Mr. Fisher stated that planning and efforts to start outreach will begin for those discussions with the district.

Commissioner Khanal inquired while building the infrastructure; will there be energy efficient lights, off-site and on-site? Inland responded that yes, there are illumination requirements for off-site and how the lights do not impact neighbors. There will be energy efficient lights installed off-site and on-site.

Chair Roland stated that there is a tight time frame to be able to close on the property in order for decision made by Council and Planning Commission. Inland stated they are working with City Staff on scheduling meetings with Planning Commission and Council next month.

Mr. Scott spoke on the state bond allocation that has to be used this year. If it not used, it goes away. Large allocation for this project, which is causing the steps to

go at a quick pace. June 21<sup>st</sup> is City Council meeting for final decision on the project. If final decision is met by Council that week, permit applications will be submitted that same week.

The Commission stated they know the community has been waiting a long time for redevelopment of the site. Chair Roland thanked them for coming in and looked forward to meeting with them in the coming months.

## **B. Shoreline Master Program and Critical Areas Ordinance Updates.**

Discuss with the Commission the status of the SMP update and present information on associated updates to the City's critical area regulation.

Senior Planner, Thaniel Gouk explained the handouts that were provided at the meeting for the Commission and their relationship to the Shoreline Master Program Periodic Update. He said the commission knows that the first draft of SMP was sent to WA State Dept. of Ecology (DOE) for initial review. In response, DOE needed to look at our Critical Areas Ordinance, which is part of the SMP adopted in 2009 and is now out of date. As a result, the City has had to also consider changes its critical areas code. Both, the SMP and critical areas code will go to DOE for the final approval prior to adoption. Without changes to the critical areas code, there is greater likelihood it can be appealed. The due date for the SMP update will now extend past the original June 30<sup>th</sup> deadline to endure that staff can properly review and include the City's Critical Areas Ordinance (CAO). In the distributed memo, staff proposed a schedule for the Planning Commission that would consist of review of chapters 1-2 of the SMP, discuss wetland and stream buffers, and a presentation from Mr. Rick Mraz from the Washington State Dept. of Ecology on wetland buffers.

The Planning Commission meetings in June, July, and August will include review of Chapters in the SMP, review remaining SMP documents, and review the first and second portion of the critical areas code. Staff also noted that a Public Hearing for SMP and critical areas code will be held in August and possibly a public open house prior to August.

Senior Planner Gouk explained the nature of changes that will be required to the critical areas code. He indicated there is a common element of changes to both the critical areas of streams and wetland, which is the buffers standards. Buffers protect critical areas by providing a natural area between the development and the particular critical area. The Commission asked staff if a proposed buffer would consist of vegetation was already there or would more have to be added. Staff explained that in many circumstances further enhancement for the wetland buffer is required. Among other changes, staff has proposed a code change to reference the methodology that is used in the field to identify and locate the wetland. Also proposed is a change to the wetland rating system that is used to

determine the classification of the wetland and thus the appropriate wetland buffer width. A handout to the Commission shows the existing and proposed wetland buffer widths. At the June 4<sup>th</sup> Planning Commission meeting Staff will present the proposed changes to the Chapters 4-6 of the SMP and the first portion of the proposed changes to the critical areas code.

The scope of critical area code changes affecting wetlands will become clearer after the presentation by Rick Mraz from the Dept. of Ecology.

Mr. Mraz explained that wetland are areas that are wet enough for a long enough period of time during the growing season that the soils are low in oxygen and only plants that can handle the wetness and lack of oxygen can grow there. All counties and cities are required to designate and protect critical areas functions and values by the State Growth Management Act (GMA). SMA Requires that critical areas within the jurisdiction of the SMA will be governed by the Shoreline Management Act. Each county and city adopts development regulations that protect critical areas that are required to be designated under state RCW code. Wetland functions consist of storing water during flood events and recharge groundwater during low flows. Wetlands remove pollutants, and provide habitat for animals and plants. Landowner incentives, public restoration, regulation, and permitting protects wetlands. Buffers are critical to maintaining wetlands and their functions.

Chair Roland asked if the buffers are just applied to properties being developed. Thaniel stated that yes, in the majority of instances buffer are identified as part of development-related action but there is a small number of instances that come to the city's attention where a property owner is adversely affecting a critical areas or buffer such as when homeowners contact the City when there are issues on their property.

## **V. COMMUNITY DEVELOPMENT REPORT**

Planning Services Manager, Jeff Dixon asked if the Commission has any questions on any new projects they observed going on around the City.

Commissioner Joan Mason asked about the Hotel that will be built on the Muckleshoot Indian tribe property.

Staff responded that the hotel would be built on tribal land. The City does not have jurisdiction for properties in Tribal trust status however they requires city utility services and often times the Tribe will come to the city voluntarily for permits, and to make sure what they are building is built to code. The commission noted that because of SR 164, there will be a need to look into traffic impact. In the past, they have come to us but it is not certain at this time if they will work with the City.

The Commission inquired about earthwork observed at the Shell Gas station. Staff stated there is a project to rebrand the station as a 7-11 and to replace underground fuel storage tanks.

Chair Roland inquired if there were proposals for the Eagles Lodge property (M ST SE) and if so, what will be developed. Staff at this time, did not know of any new plans for that site.

Planning Services Manager Jeff Dixon confirmed Monday, May 13th at 5:30 is planned for the joint PC/City Council Study Session. He explained how the meeting would proceed and handed out an agenda bill that was provided to City Council and a listing of agenda topics items from past meetings of the Planning Commission. He indicated topics of discussion could include the Comprehensive Plan, issues that are commonly brought up by the public/neighbors, and any shared interest between the two groups.

The Commission stated that many residents ask them what is happening around town and at times the Commission doesn't have knowledge on that particular project happening. In addition, Staff suggested that in response to their previous request for economic development information, Doug Lein from Economic Development could present at one of the future Planning Commission meetings to address some of those questions.

Staff mentioned to the Commission that the Inland Construction project is moving fast and that a public hearing will need to be scheduled. It was certain what the code changes were at this time, He inquired about the possibility to do have two meetings in June. The Commission asked for an email to be sent out asking who can attend the second meeting in June to determine if a quorum will be established.

The July 2 Planning Commission will more than likely be changed due to the holiday.

## **VI. ADJOURNMENT**

There being no further business to come before the Planning Commission, Chair Roland adjourned the meeting at 9:22 p.m.