



CITY OF BLACK DIAMOND
PLANNING COMMISSION MEETING MINUTES
August 10, 2021, 6:00 PM
Zoom Virtual Meeting

FLAG SALUTE, CALL TO ORDER, and ROLL CALL:

Chair Olson called the meeting to order at 6:00 p.m.

Present: Chair/Commissioner John Olson
Commissioner Steve Jensen
Commissioner Pam McCain
Commissioner Felicia Wheatfall
Commissioner Dave Ambur
Position #3 recently/currently vacant
Excused: Commissioner Richard La Conte
Staff: Community Development Director, Mona Davis
Deputy City Clerk, Carina Thornquist

APPROVAL OF MINUTES -

Special Meeting of July 13, 2021

Chair Olson asked if there were any objections to approving the Minutes from July 13, 2021. Commissioner Wheatfall **Motioned** to approve the July 13, 2021 Minutes **Second** Commissioner McCain **Vote**, Motion **passed** 5-0.

PUBLIC COMMENTS - None

PUBLIC HEARINGS -

- a) *****RESCHEDULED TO SEPTEMBER 7, 2021***** Prepare a feasibility study, including costs and scope of operations, on conducting an Ecological Inventory in the City.*
- b) Amendments to Comprehensive Plan Appendix 7 (Transportation) to reflect an alternative SE Loop Connector Route.*

Chair Olson reminded the Commissioners that they will not be taking any action tonight, but solely taking public input. Director Davis stated that there originally was going to be two (2) Public Hearings tonight but the Public Hearing regarding "Conducting an Ecological Inventory in the City" has been rescheduled for the September 7, 2021 Planning Commission meeting. The only Public Hearing

tonight will be regarding the “Amendments to Comprehensive Plan Appendix 7 (Transportation) to reflect an alternative SE Loop Connector Route”.

Chair Olson opened the Public Hearing at 6:04 p.m. Chair Olson introduced Community Development Director Mona Davis and asked her to give the staff her presentation. Director Davis gave an extensive overview of the alternatives to the SE Loop Connector Route, as well as showing a PowerPoint presentation showing two (2) maps with the proposed routes on Lawson Hill. She explained that the Commissioners will only be taking public input tonight and not making any decisions. The information will be used to help make the staff report and recommendation to present to the City Council this fall. She stated that this is a Comprehensive Plan amendment application submitted by Black Diamond Partners (Oakpointe) and is a paid docket item (2021-02). Director Davis also noted that her PowerPoint presentation is a document which she would like to have as a supplement to her Staff Report which was in the Packet Material. Director clarified that these are just the alternatives, and no decision has been made to where the roads will be constructed.

Nicole De Leon, attorney for Oakpointe – Ms. De Leon stated that they fully support Director Davis’ report, analysis, and recommendations. She gave a brief overview of the intent of the application which is to provide some alternative routes to the SE Loop Connector. They are requesting to have the option to further analyze an alternative route. Since it seems that some of the public perceives the application differently, Oakpointe wanted to clarify what the intent of the application is for and that they also agree that all the reports and analysis do need to be done. Ms. De Leon gave some more clarification to multiple concerns that the public has raised. Oakpointe is not saying that these proposed roads are the final decision, but that they just want the option to explore the different routes.

Renee Mix from Black Diamond – Ms. Mix feels that overdevelopment is the root problem. She stated that the SE Loop Connector will direct traffic down Lawson Rd. which is only a symptom to the bigger problem. Ms. Mix said the best solution is not to approve the SE Loop Connector change in the Comp. Plan as Oakpointe rarely doesn’t get their way.

Kristen Bryant from Bellevue – Ms. Bryant feels that the presentation given by the attorney for Oakpointe was misleading when she said the decisions weren’t being made at this time. She feels as though the city is saying that it’s a cheaper option for Oakpointe and this will be better for everyone which she feels isn’t true. She said this is when the decisions are being made, not later because it will be too late. Ms. Bryant sent

comments in ahead of time and hopes the Commissioners had time to read them. She states that there are suggestions in there as safeguards to the community in case this gets adopted. She would like to see something called a "Neighborhood Corridor Overlay" which would be trees, traffic calming, quiet, privacy, bicycles, and pedestrians, flashing crossing signals to make it safer for citizens. Currently, persons can cross over Lawson St. anywhere they want to which isn't safe. But this needs to be adopted before this Comprehensive Plan change is made. Ms. Bryant stated that Oakpointe knew long ago when they bought the property that there were environmental problems on the back side of the hill, so she's upset that they are now saying differently. Another safety factor is residents living on Lawson St. who must back out of their driveways. Finally, she was extremely upset that Oakpointe says they are concerned for the environment which she doesn't believe is true when they are putting these polluting generating cars out in the rural areas and then asking the state for money to expand roads. Furthermore, they are cutting down every single tree on these properties when building their developments.

Kelley Sauskojus from Black Diamond – Ms. Sauskojus stated that she used to work at Cenex on Highway 169 and there are lots of people who walk along the highway, not to mention cross the road. She felt that with the huge increase in cars expected to come, the safety of pedestrians is at risk and a huge concern. She stated that Oakpointe has not been good stewards of the roads that they have impacted so far from their development, so she feels that they shouldn't have yet another road such as Lawson to be impacted by thousands of cars. Furthermore, she said they are two (2) years behind on the road improvements that they promised.

Gary Kohl from Black Diamond – Mr. Kohl stated that he is disappointed by the thought of them using Lawson St. for access to a major development. Gary, as well as his neighbors on Lawson Hill, chose to live out here to live where it's quiet and peaceful and adding this traffic on Lawson will change that.

Gary Davis from Black Diamond – Mr. Davis stated that the new SE Connector will put too much traffic on Lawson St. and parts of Highway 169 and will hurt the existing historic neighborhood. He stated that the city must force the developer to pay for improvements to offset these problems; trails, streets, trees, vegetated dividers, traffic calming, hedges, privacy fences, etc. The City needs to act now and not defer any required mitigations until later or it will be too late. Mr. Davis feels if the City does permit this, the people living on Lawson St. should be compensated for the loss of value of their property and the use of their front yard. He finished by saying that the city should wait until Oakpointe comes up with

a better solution.

Gary Norris had technical difficulties and couldn't hear him. See his testimony under Public Comments towards the end of the meeting.

Chair Olson asked three (3) times if there was any further public testimony regarding the Amendments to Comprehensive Plan Appendix 7 (Transportation) to reflect an alternative SE Loop Connector Route. **Hearing and Seeing No One**, Chair Olson **Closed the Public Hearing** at 6:32 p.m.

Chair Olson opened the floor for the Commissioners to ask Director Davis any questions they may have on the topic, or to have general discussion. He reminded everyone that they would be discussing this topic, but no decisions would be made tonight. Back and forth discussion, as well as questions, took place between the Director and the Commissioners. Mr. Justin Wortman from Oakpointe assisted Director Davis in providing some clarification regarding the concerns. Further extensive discussion took place between Chair Olson, the Commissioners and Director Davis.

STUDY/WORK SESSION - August 24, 2021 – FLUM/Zoning Presentation

Director Davis reminded everyone that the Commission had agreed to have extra Work Sessions for the months of August, September, and October. The Special Meeting on August 24th is a Work Session to brief everyone on the Future Land Use Map that's in the City's Comprehensive Plan. In addition, look at the Zoning Map and provide a brief overview of what those differences are and how those maps currently don't align. The goal is to get them into alignment. There will be a presentation on the maps at the August 24th meeting and it will go before the public on September 7th where there will be a Public Hearing.

UNFINISHED BUSINESS - None

COMMUNITY DEVELOPMENT DEPARTMENT REPORT –

Director Davis reported briefly on senior housing from the August 5th City Council meeting where they approved the age to be changed from 65 years old to 55 years old for senior housing and to include "cottage housing". She reported that they are trying to get some designs and concepts submitted for the skateboard park. King County Councilman, Reagan Dunn, presented the city with a check for \$25,000 to help start the skateboard park funding. The city hired Grindline to put together a conceptual design. Director Davis reported that the city will be hosting a public meeting later this month, tentatively set for August 25th if she can find a space to hold it. She would like to reach out to the youth since many of them brought ideas forward during the Miners Day Festival. Also discussed was the city's continued work this year with Blueline, a consultant, to help update the Parks, Recreation, Open Space plan. Hopefully there will be a Public Hearing on this in early October to solicit comments on the city's parks plan. Ms.

Davis advised that Lake Sawyer is having some water quality treatment done and the city received a grant from the Department of Ecology to assist with the expense. A contractor has been hired to do the work and a notice went out last week notifying all the Lake Sawyer residents that the work will take place in late August and then a second potential treatment in early September. The staff has been extremely busy. Director Davis advised that a big meeting is coming up on Sept. 7th where there will be 4 Public Hearings that night. Those will include both the Future Land Use map and the Zoning map; marijuana regulations; moving an economic development policy out of the transportation element into the economic development section; and finally, look at doing an ecologic inventory, what it would take and the cost to the city to conduct an ecological inventory in the future.

Director Davis opened the floor if any Commissioners had questions which she was happy to answer.

PUBLIC COMMENTS –

Gary Norris from Black Diamond (*This is Public Hearing from earlier due to having technical problems*) – Mr. Norris said he was confused by what the attorney from Oakpointe said about all the environmental analysis had let them to the conclusion that the existing route was unacceptable. He stated from what he saw, there was very little analysis that was done about the impact of dropping the traffic onto Lawson St. and through the alternative that would be added. His calculation indicates that there could be up to 800 cars per hour at peak times, traveling on Lawson St. which has many single-family residences which adjoin to the arterial. Most of these houses have individual driveways to the street which will be impacted greatly. He felt the impact and level of service issues won't be at the major intersection itself, but at the intersections of these driveways which are going to be impacting the route. Mr. Norris shared his professional experience stating that he has 45 years' experience as a traffic engineer in the Puget Sound region including Renton, Bellevue, and Seattle. In the EIS, you can consider alternatives for development roadway improvements. Just because the connector is on the Comp. Plan map without alternatives, doesn't mean that other alternatives won't be considered. So, there is no need to add an alternative to the Comp. Plan. Regarding the 12% grade on the road, many roads around here have 12% grade so that's not a limiting factor building a road. From Mr. Norris' point of view, Lawson St. is a residential street and if you add this amount of traffic, it's going to be a negative impact on the residents on this street and further believes the city will regret it in the future if they approve this. Finally, he said now is the time to make the determination and followed by stating that enough research and analysis needs to be done before the city should make any decisions.

Mike Petatoff from Black Diamond

Kristen Bryant from Bellevue

Angela Fettig from Black Diamond

ADJOURNMENT –

Commissioner Ambur **Motioned** to adjourn the meeting. **Second** Commissioner Jensen. **Vote, Motion passed 5-0.**

The meeting ended at 7:25 p.m.

These minutes were respectively recorded by Carina A. Thornquist, Deputy City Clerk

ATTEST:



John Olson, Chairperson



Planning Commission Secretary