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Date: August 26, 2022
To: City Council
Scott MacColl, Interim City Manager
From: David Pyle, Director of Community Development
Kellye Hilde, Deputy Director of Community Development
Re: Brownstones West Development Agreement

Purpose

The purpose of this memorandum is to provide City Council with a proposal from [Sammamish Town Center Associates, LLC \(STCA\)](#) to enter into a development agreement and consider modifications to the approved Brownstones West Preliminary Subdivision (PSUB2019-00561), which proposes improvements to the Lower Sammamish Commons and minor deviations from the 2016 Public Works Standards.

Background

The [Brownstones West](#) Preliminary Subdivision project (PSUB2019-00561) is an approved preliminary subdivision located in the southwest quadrant of the [City's planned Town Center Subarea](#) on parcels zoned [TC-B](#) and [TC-C](#). STCA proposes to create 10 single-family detached units and 28 attached townhome units on 38 residential lots.

After the [preliminary subdivision application](#) was submitted by STCA in the Fall of 2019 and after extensive review by, and collaboration with the City staff, the Brownstones West Preliminary Subdivision was [approved by the City's Hearing Examiner](#) on May 2, 2022. Under [RCW 58.17.140\(3\)](#) and [SDC 21.02.060\(E\)\(4\)](#), STCA has five years to complete the required infrastructure improvements and file an application for final plat. STCA is currently finalizing construction permit application materials and anticipates a complete construction permit application submittal by the end of August 2022. STCA has indicated the desire to commence construction of Brownstones West Subdivision infrastructure and other improvements during the construction season in late Spring 2023.

Concurrent to the Brownstones West subdivision project, STCA also submitted a [Unified Zone Development Plan](#) (UZDP) application for the [STCA UZDP](#) in Fall 2019. The [Sammamish Town Center SW Quadrant](#) project, also known as the STCA UZDP project (UZDP2019-00562), is a proposed mixed-use development with 348 residential units and approximately 82,000 square feet of commercial space in the [TC-A1](#) zone of the Town Center Subarea.

It is important to note that the Brownstones West Preliminary Subdivision and the STCA UZDP projects are dependent on and interrelated with each other. As such, the City and STCA have been working towards design solutions that are considered 'best outcomes' for both projects and that are consistent with the Town Center Plan, Town Center Development Regulations, and applicable Development Standards. To achieve the best outcome, the team has looked beyond each discrete project's boundary to assess how each project's various components fit together and into the broader Town Center planned

area. Specifically, staff has looked at design changes that provide the best public benefit, such as maximizing open/green space, consolidating stormwater infrastructure (e.g., regional approach), and refined street networks.

Brownstones West Preliminary Subdivision – Proposed Minor Modifications

On July 19, 2022, STCA provided staff with a site plan proposing minor modifications to the approved Brownstone West preliminary subdivision (**Exhibit 1**)¹. The proposed, minor modifications include realigning SE 6th Street, relocating vehicle access to the Lower Sammamish Commons, and removing and replacing 223rd Avenue SE with a common open space (**Exhibit 2**). In response, staff indicated a [development agreement](#) under [RCW 36.70B.170](#) is required, as the proposed design changes affect City Park property and cause both current and future City expenses (modification to current Park amenities and addition of future parklands) and require City approval of a 2016 Public Works Standards deviation/departure. These changes are described in more detail below and can be seen by contrasting **Exhibit 1** with **Exhibit 2**.

To improve the design and maximize the public benefit and functionality of the project, minor modifications to the approved Brownstones West Preliminary Subdivision are recommended. The applicant proposes to realign SE 6th Street and relocate vehicle access to Lower Sammamish Commons Park from 222nd Place SE to SE 224th Avenue SE and Alley B (**Exhibit 2**). By making these changes, the revised site plan achieves the following improvements:

- Lower Sammamish Commons Park traffic shifts to 224th Avenue SE, allowing 222nd Place SE to function primarily as a residential road in line with tiering down intensity with existing neighborhoods;
- More efficient use of land that eliminates unusable pockets of open space;
- Enhanced residential dwelling unit alignment to reduce alley exposure from the street;
- 224th Avenue SE will receive a full street improvement, unlike 222nd Place SE;
- The rectangular vault shape is more efficient for routine maintenance by the City;
- The revised vault design enables increased capacity to accommodate stormwater from future developments;
- Alley access is positioned to accommodate traditional 90-degree turn movements;
- Street parking is maximized on SE 6th Street (both sides);
- The Lower Sammamish Commons Park entrance is centrally positioned at the terminus of 224th Avenue SE; and
- There is an opportunity to position a landmark feature to create visual interest/connection to Lower Sammamish Commons Park as one travels along SE 6th Street and 224th Avenue SE.

In addition to realigning SE 6th Street and relocating the park entrance, STCA proposes to remove and replace 223rd Avenue SE with a common open space. The residential lots fronting the open space will be served by an alley designed as the primary means of vehicle access. Pursuant to [Chapter 9.3 of the 2016 Public Works Standards](#), alleys are only allowed for primary access when lots served have full frontage on a public street. Although the design does not comply with the 2016 Public Work Standards, there are

¹ Brownstones West Preliminary Subdivision (PSUB2019-00561) was approved by the Hearing Examiner on May 2, 2022. The approved plans and Hearing Examiner’s Decision can be found on the project website at <https://www.sammamish.us/government/departments/community-development/planning/town-center/projects/brownstones-west/>

Town Center goals, policies, and development regulations that do support the proposed deviation (**Exhibit 3**). Specifically, [SDC 21.07.060\(D\)\(1\)\(d\)\(iii\)](#) Pedestrian-Only Lots, [SDC 21.07.060\(B\)\(4\)\(a\)](#) Street Design Standards, and [SDC 21.07.130\(A\)\(3\)](#) Town Center Street Design Standards allow STCA and the City to consider an alternative lot configuration and street design through the deviation process.

However, deviating from the alley standard and proposing an alternative lot layout does raise some concerns. These concerns are mostly associated with removing 223rd Avenue SE, including reduced on-street parking, increased alley traffic flow, and fire, garbage, and delivery access. Additionally, the approved Brownstones West preliminary subdivision includes two stormwater vaults under Alley A and B. These vaults were not designed to support the weight of a fire truck and would need to be re-engineered if the vaults remained in the alleys with the revised design.

STCA will provide an alternative solution to the alley design standard to address these concerns. This can be accomplished by conducting a limited traffic study and recommending an alternative design that is innovative, distinctive, and functions safely and efficiently in serving residential lots fronting onto a common open space.

Development Agreement Recommended

STCA's revised proposal includes improvements to the Lower Sammamish Commons Park and deviations from the 2016 Public Works Standards. For these reasons, it is recommended that the City and STCA enter into a development agreement to specify the proposed minor modifications and deviation from the 2016 Public Works Standards. To assist with this effort, staff have compiled the following **initial** list of terms, based on the July 19, 2022 concept submitted by STCA, that should be considered by both parties when drafting the agreement.

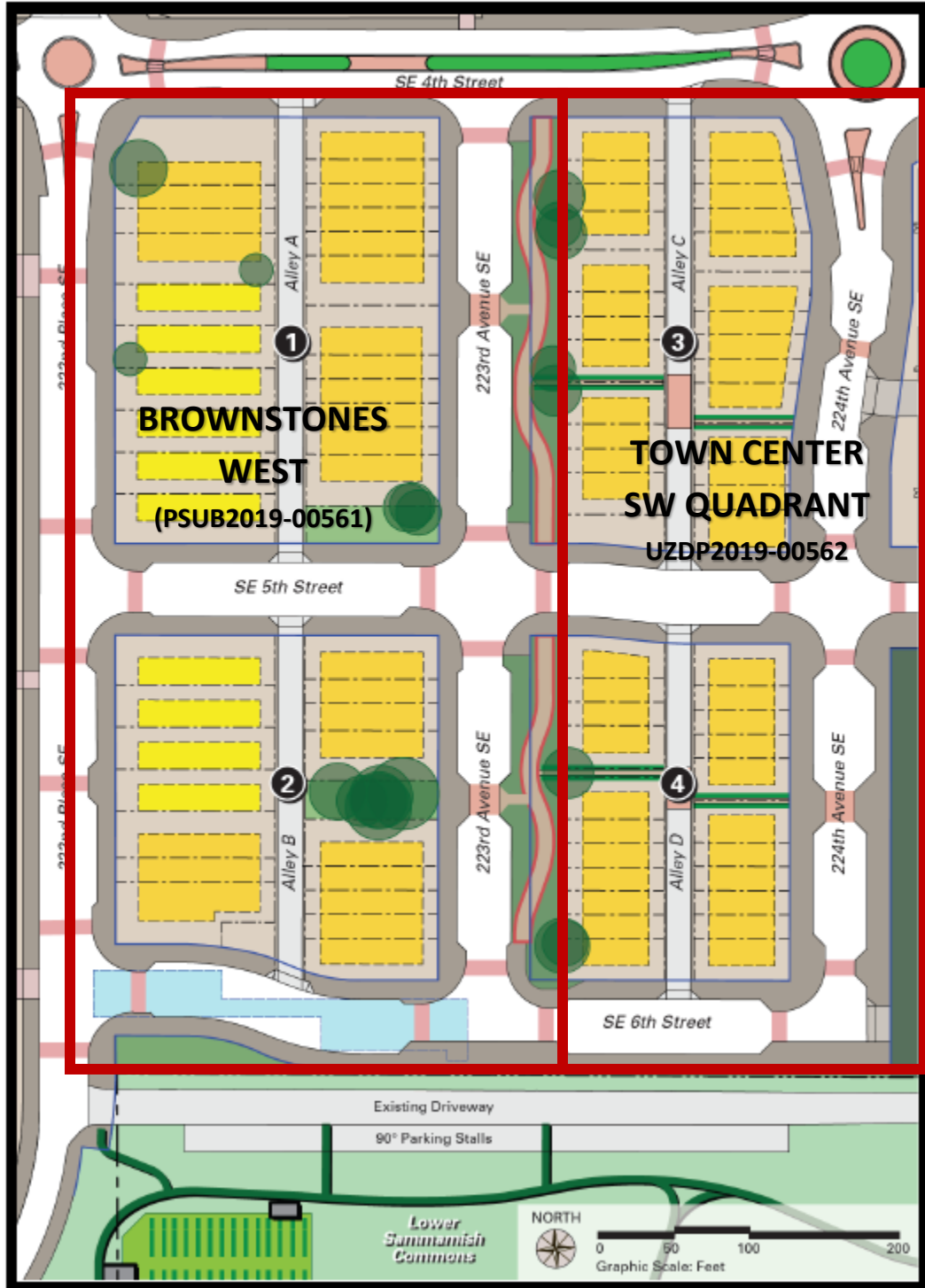
1. A landscape buffer and fence between SE 6th Street and the Lower Commons Park Parking Lot.
2. STCA is responsible for installing two new security gates at the park entrances at SE 6th Street and 224th Avenue SE and SE 6th Street and Alley B.
3. STCA is responsible for relocating the Lower Sammamish Commons Park entry monument/sign to a location determined by the Parks, Recreation and Facilities Department.
4. STCA is responsible for all costs associated with relocating vehicle access to the Lower Sammamish Commons Park, including design, permitting, construction, and a 5-year maintenance plan to ensure improvements to public property are completed and maintained in accordance with City-approved standards.
5. STCA proposes a landmark feature located in the park boundary at the terminus of 224th Avenue SE (**Exhibit 2**). The design and installation of this feature must be coordinated with and approved by the Parks, Recreation and Facilities Department.
6. The revised design should demonstrate that alleys are designed to accommodate fire, garbage, and delivery access.
7. With the removal of 223rd Avenue SE and on-street parking, the revised design should consider guest parking options to ensure overflow parking does not encroach into the Lower Sammamish Commons Park and its dedicated parking area.
8. If feasible, stormwater vaults should be located in the common open space. If unfeasible, the stormwater vaults will need to be designed to support the weight of a fire truck.
9. The updated site plan must clearly comply with the deviation requirements described in [Chapter 6.2 PWS and Appendix H of the Public Works Standards](#).

10. STCA is responsible for providing staff with an updated site plan, limited traffic analysis, and deviation request with proposed improvements shown on both the development site and City property.
11. Prior to City Council consideration, the City may have its support services consultant review the updated materials for consistency with City regulations and standards.
12. The cost associated with staff review, coordination, and preparation for City Council consideration of the agreement will be at STCA's sole expense.

Provided the Council agrees with the proposed minor modifications and street standard deviation requested by the Applicant (STCA, LLC) as presented herein, the City Manager will be requesting Council direction to authorize negotiation of a development agreement with STCA for its Brownstones West Project during the Council's September 6 regular meeting.

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Approved Brownstones West Application



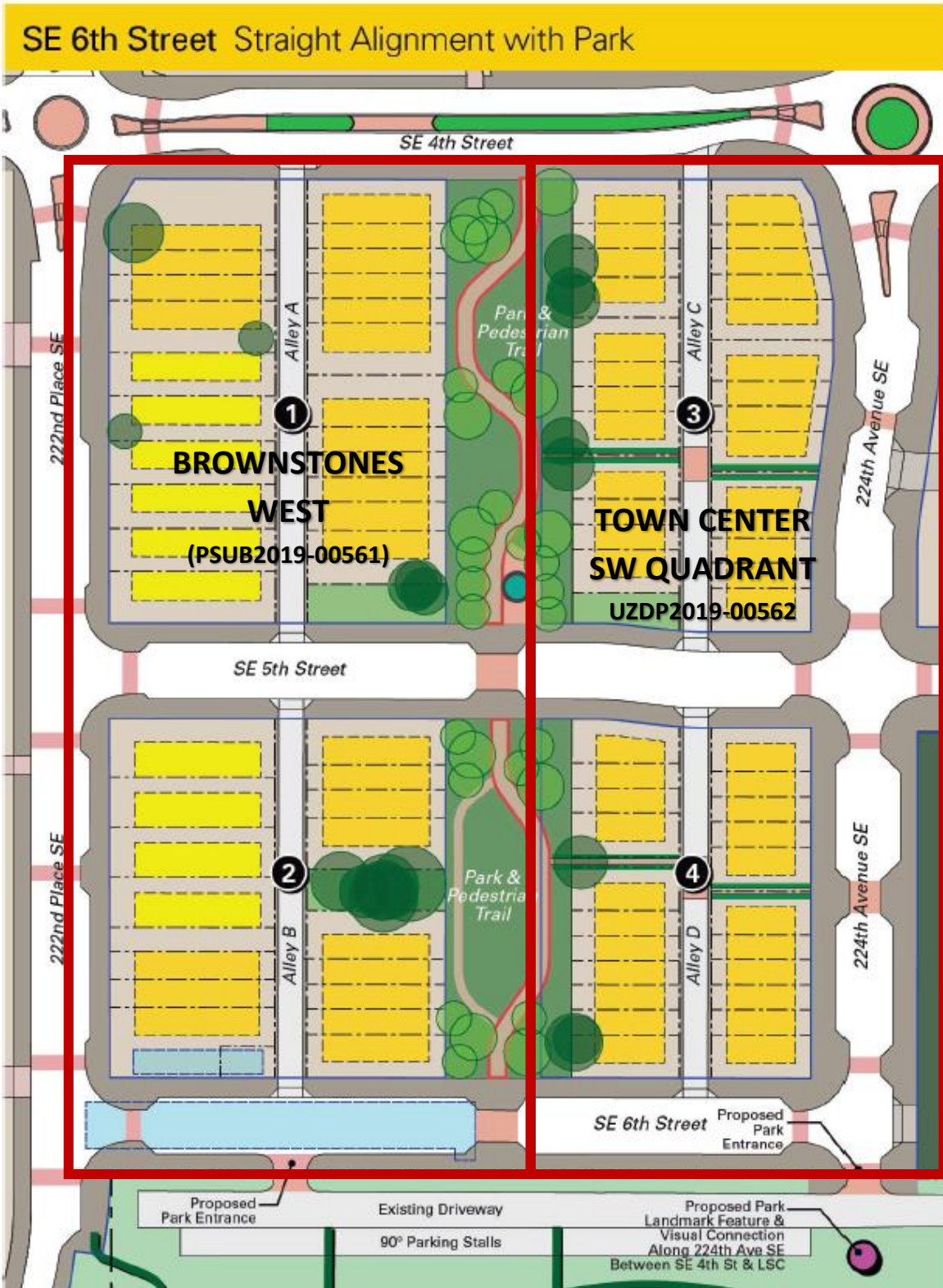


Exhibit 3

TOWN CENTER PLAN GOALS AND POLICIES (ADOPTED 2008)

Land-Use

- **Goal LU-1:** Promote Town Center development design that maintains a harmonious relationship to the natural surroundings, exhibits an intimate scale, welcoming character, and sense of place.
 - **Policy LU-1.1:** New development should be located and designed to reduce impacts to residential neighborhoods adjacent to the Town Center.
 - **Policy LU-1.5:** Landscaping and natural area retention should be an essential part of new development.

Open Space

- **Goal OS-1:** Create a hierarchy of interconnected public and private open spaces, ranging from an active centralized plaza or town square to less formal gathering areas, quiet residential courts, and natural open spaces.
 - **Policy OS-1.1:** Usable open space should be a priority for each quadrant of the Town Center.
 - **Policy OS-1.4:** A variety of small open spaces should be developed as part of private development to serve local needs.

Transportation

- **Goal T-1:** Establish and maintain a connected hierarchy of streets that accommodates desired Town Center land uses and human activities.
 - **Policy T-1.3:** Develop a connected system of local access roads that serve planned Town Center development.
- **Goal T-2:** Provide transportation facilities that create a unique character for the Town Center.
- **Goal T-3:** Provide for Town Center Circulation while addressing safety and minimizing impacts to surrounding neighborhoods.
 - **Policy T-3.1:** Provide for a safe and convenient network of roadways to serve Town Center development.
- **Goal T-5:** Create an attractive, safe, and convenient road and trail network that promotes walking, bicycling, and other non-motorized forms of transportation.
- **Goal T-6:** Provide parking in the Town Center appropriate to accommodate desired uses.

TOWN CENTER DEVELOPMENT REGULATIONS (ADOPTED 2010)

SDC 21.07.060(D)(1)(c) Alleys

- i. The use of alleys is encouraged to minimize the appearance of garages from the Street. For developments with more than 20 single-family dwelling units, at least 25 percent of the homes should be served by alleys. If a development is to be constructed in phases, then this requirement applies to each phase of construction.
- ii. Alleys shall be designed to incorporate landscaping and lighting elements. Specifically:
 - a. Landscaping elements may be used as an alternative to fencing to separate private yard space from the alley;

- b. Fences shall be set back at least three feet from the alley (pavement) to provide for landscaping to soften the fence. See SDC Figure 21.07.060D.(1)(c)(a). for a good example of how landscaping can enhance the design of an alley; and
- c. Garages shall feature building-mounted lighting to provide illumination of alleys for safety.



SDC 21.07.060(D)(1)(d)(iii) Pedestrian-Only Lots

This includes configurations where one or more lots are clustered around a pedestrian easement and/or common open space and do not front on a street. Standards:

- a) A pedestrian entry easement shall be provided to all homes that do not front on a street, alley, or common open space;
- b) Pedestrian entry easements shall be a minimum of 15 feet wide with a five-foot minimum sidewalk; and
- c) These lots shall contain private detached or shared garages off an alley or other access if approved by public works and reviewed for conflicts with existing codes.



SDC 21.07.060(B)(4)(a) Street Design Standards

The streets shall be designed consistent with the goals and policies of the Town Center Plan, the adopted street standards, and the development principles of the Town Center Infrastructure Plan. To meet this standard, project applicants shall use the figures below, reproduced from the Town Center Plan, reproduced as SDC Figure 21.07.060(B)(4)(a), as a guide to determining the appropriate sidewalk width, landscaping elements, and roadway width and configuration until the City develops a more specific set of roadway standards applicable to the Town Center. During the permit application review process, the City will determine the appropriate cross-section(s) for the road(s) being proposed. Some flexibility to the design of the streets may be granted by the City based on unique environmental challenges or where alternative designs can better meet the Town Center Plan's goals and policies.

SDC 21.07.130(A)(3) Purpose – Interim Town Center Street Design Standards (July 7, 2010) adopted.

The director of public works is authorized to adopt policies and procedures to: a. assist in the implementation of these standards; and b. take into account new modes of street design and construction technology.