PLANNING COMMISSION
Minutes of February 16, 2010, Meeting

Members Present: Melvin McDonald, Roxie Chapin, Barry Ladenburg

Staff Present: Jack Dodge, Principal Planner; Mike Scarey, Senior Planner; Kate Kaehny, Associate Planner

1. Call to Order:

The meeting was called to order at 5:30 p.m.

2. Approve Minutes of January 11, 2010, Meeting:

A motion was made, seconded, and unanimously passed to approve the January 11, 2010 minutes as presented.

3. Public Hearing:

A. Staff Presentation on the 2009 Final Docket of Proposed Comprehensive Plan Amendments

The Vice-Chair opened the public hearing at 5:31 p.m.

Mike Scarey explained that tonight's public hearing was a continuation of the November 23, 2009 public hearing (which was initially continued to February 8, but that Planning Commission meeting was cancelled). Mr. Scarey briefly reviewed the proposed amendments as follows:

MAP AMENDMENTS
Land Use Plan Map

- **Map Amendment #A-1**

Move the Urban Center line to the west side of 28th/26th Avenue South at South 200th Street to include one parcel in the Urban Center currently outside the boundary. Establish a Potential Zone of AVC for that parcel.

- **Map Amendment #A-2**

Amend the designations of the parcels involved in the exchange of land between the City and the Highline Water District.

- **Map Amendment #A-3**

Amend the designation of an area of Washington Memorial Park (approximately 6 acres) that will be leased to MasterPark for the purpose of expanding MasterPark Lot C.

- **Map Amendment #A-4**

Add new parcel to map, and establish Comprehensive Plan and Zoning designations. Parcel is located on east side of I-5 adjacent to King County Transfer Station on its north side (approximately 0.8 acres)

- **Map Amendment #A-5**

Potential amendments related to the Major Zoning Code Update. Add a Residential High-Mixed Use category. Move Zones UH-1800 and UH-900 to correspond to Residential High Density designation, rather than corresponding to Residential Medium Density designation.

MAP AMENDMENTS

Informational Maps

- **Map Amendment #B-1**

Amend Map 1.4 "Existing Land Use Map" to include current information.

- **Map Amendment #B-2**

Amend Map 8.1 "Wetland and Stream Classifications" to include current information.

MAP AMENDMENTS

Other Maps

- **Map Amendment #C-1**

Amend Map 1.2 "Preferred Light Rail Alignment and Station Locations" to specify the City's preferred alignment between S. 200th St. Station and the City's southern boundary.

AMENDMENTS TO SUBAREA PLANS

- **SeaTac/Airport Station Area Plan – Subarea Plan Amendment #1**

Modify the concept plan and page 25 graphic to remove the pedestrian connection to Bow Lake.

TEXT AMENDMENTS

- **Land Use Element-Text Amendment #1**

Amend Policy 1.7 to specifically state SeaTac's support for three stations in the City. Specify the City's preferred alignment for the Light Rail Transit System between S. 200th St. and the City's southern boundary.

- **Land Use Element – Text Amendment #2**

Amend the Introduction to add a statement to specify that Subarea Plans are components of the Comprehensive Plan, and that the City Center Plan, the S. 154th St. Station Area Action Plan and the SeaTac/Airport Station Area Action Plan are adopted subarea plans.

- **Land Use Element – Text Amendment #3**

Update Background Report related to Map Amendment #A-5

- **Land Use Element – Text Amendment #4**

Update existing land use information in Background report related to Map Amendment #B-1.

- **Capital Facilities Element – Text Amendment #5**

Update Background report to include section for projects outside the six-year timeframe.

- **Capital Facilities Element – Text Amendment #6**

Update 6-year Capital Facilities Plan (annual update)

- **Parks, Recreation, & Open Space – Text Amendment #7**

Update element based on the "2009 Parks, Recreation, & Open Space Plan"

- **Environmental Management Element – Text Amendment #8**

Update element based on the update of the Shoreline Master Program.

The SEPA Determination of Nonsignificance prepared by staff on all the Comprehensive Plan Amendments has been appealed (specifically to address concerns related to Map Amendment #3). The issue went before the Hearing Examiner on February 4, his decision is anticipated on February 25. City Council action is tentatively scheduled for March 9.

B. Public Hearing (continued from 11/23/09) on the 2009 Final Docket of Proposed Comprehensive Plan Amendments

Roger McCracken, 2003 Western Avenue #500, Seattle: Washington Memorial Cemetery and MasterPark came to an agreement to lease a portion of cemetery property to MasterPark to expand Lot C. The agreement includes a 25 year lease with three five-year extension options, and that the land will ultimately be returned to "ground level". (The length of the lease is necessary due to financing requirements.) The proposal being brought forward is to change the Comprehensive Plan land use designation from Park to Commercial High density to allow the use. The land is designated Park, but it is fallow and there have been issues with trespassing and littering. In answer to concerns raised, Mr. McCracken stated that surface parking is currently a permitted use in the City's Zoning Code, and that MasterPark has met all of its requirements within the development agreements they have with the City. MasterPark has worked with the Department of Ecology to clean up contaminated sites, at a cost of several million dollars; surface parking mitigates some of those costs. Also, MasterPark pays approximately $3 million annually in taxes.

If the amendment is approved, an application will be submitted to the City for a Rezone which includes SEPA review; all land use and permitting requirements will be met. A traffic mitigation letter provided by the City's Engineering Division indicates that expanding Lot C to include 1000 additional cars would create no significant traffic impacts; the reality will likely be 700-750 additional cars. (Additional traffic studies may be required as part of the rezone process.) Trees will be planted to completely screen the site. If the Hearing Examiner upholds the appeal, the amendment proposal will be pulled.

It was suggested that the potentially 40 year lease could be scaled back, with a sunset clause to revisit the lease after 15 years. Mr. McCracken agreed to consider such a possibility.

Doris Cassan, 3100 S. 176th St., SeaTac: She believes that even at 750 cars, the parking lot would create significant traffic impacts. She has never seen anyone on the proposed site who should not be there. Further, she was here before Mr. McCracken making SeaTac a better place.

Earl Gipson, 17050 51st Ave. S.: He believes that, for all intents and purposes, this is a commercially zoned area. A lot of trouble was caused because of a process failure. Map

Amendment #3 should have gone through separate SEPA review rather than holding up all the other amendments, another process failure. The Growth Management Act provides "force of law" when amending the Comprehensive Plan. What good is a SEPA checklist when 40 to 50 of the questions are answered by "to be determined". Now there's a proposal to change the appeal process so nonproject actions go before the City Council rather than the Hearing Examiner, another process failure. He is concerned that the Comprehensive Plan is amended once a year, and how carrying the 2009 amendments over into 2010 could impact the 2010 process. The Planning Commission can change the process via their recommendations to the Council.

Mike Scarey explained that the process may be flawed; however, it is a requirement of the State Environmental Policy Act and is, therefore, a state process, not a City process. Further, many responses to questions on the SEPA checklist are answered on a separate section of the SEPA checklist specifically for nonproject actions. SEPA requires cumulative impacts of a proposal be addressed together, so SEPA review of one particular Comprehensive Plan amendment proposal is impossible.

Mr. Gipson took issue with this interpretation, and stated he would be discussing it further with the City's legal department.

Hearing no further requests to speak, The Vice-Chair closed the public hearing at 6:51 p.m.

C. Continued Discussion about the 2009 Final Docket of Proposed Comprehensive Plan Amendments, Including a Recommendation to the City Council

A motion was made, seconded, and unanimously passed to recommend that the City Council approve the 2009 Final Docket of Proposed Comprehensive Plan Amendments.

4. <u>New Business:</u>

A. Update on Major Zoning Code Update Ad Hoc Committee's Progress

Kate Kaehny updated the Commission as follows:

The Ad Hoc Committee (AHC) held their first meeting on January 19, 2010, agenda items included review of the AHC mission statement/ground rules, and review of City policies/zoning principles/zoning code update project. The members voted to seek City Council approval to revise their mission statement and objectives. The Council will discuss whether or not the AHC's work program should be expanded at their upcoming retreat. Committee meetings have been cancelled until after the retreat.

The AHC was invited to attend a "special meeting" in conjunction with the 1/26/10 Land Use & Parks Committee meeting that included a presentation by the consultant on a SeaTac/Airport Station Area market study.

B. Initial discussion about the City's Steep Slope Regulations and Potential Amendments

Jack Dodge advised that a property owner has requested that the City review, and possibly scale back its steep slop regulations. No amendments are being proposed at this time.

Discussion was held, and it was agreed that current regulations will stand.

C. Election of Chairperson and Vice Chairperson

Tabled.

D. Discussion of Proposed Amendment to the Planning Commission's Bylaws Regarding Meeting Times

Tabled.

5. Old Business:

A. Continued Discussion about the Planning Commission's 2009 Accomplishments and 2010 Goals

It was suggested that a definition of "development" be added to the City's tree retention regulations. Scheduling a joint meeting with the Planning Commission of an adjacent jurisdiction (likely Tukwila) will be a priority. Better communication with the Land Use & Parks Committee would be helpful. Discussion was held about creating a form to detail Commissioner's no votes which would be forwarded to Council.

6. Detailed Commission Liaison's Report:

Commissioner Chapin has attended two City Council meetings. She also attended the February 4 SEPA Appeal hearing before the Hearing Examiner, and requested a copy of his decision.

7. Planning Director's Report:

None.

8. Planning Commission Comments (including suggestions for next meeting's agenda)

Commissioner Ladenburg expressed his thanks for having been appointed to the Commission.

9. Adjournment:

The meeting was adjourned at 7:30 p.m.