

**PLANNING COMMISSION**  
**Minutes of January 8, 2007, Meeting**

**Members Present:** Linda Snider, Tom Dantzler, Rick Lucas, Joseph Dixon, Richard Jordan

**Staff Present:** Steve Butler, Planning Director; Jack Dodge, Principal Planner; Mike Scarey, Senior Planner

**1. Call to Order:**

The meeting was called to order at 5:30 pm.

**2. Approve Minutes of November 27, 2006, Meeting:**

A motion was made, seconded, and unanimously passed to approve the minutes of the November 27, 2006 meeting as presented.

**3. New Business:**

**A. Review of Proposed 2007 Comprehensive Plan Amendment Process**

Mike Scarey explained that the Citizens Guide to the Comprehensive Plan Amendment Process for 2007 contains general information about the process to propose an amendment, contact information, and a time schedule (this year's deadline for submittal is April 27). An open house scheduled for April 9 will provide an opportunity for the public to ask questions, and for staff to identify any City-generated amendment proposals. The City Council will establish the "Final Docket" in July. A Planning Commission public hearing is tentatively scheduled for October 22, with City Council action on November 27.

In answer to a question from Commissioner Lucas regarding possible staff-generated amendment proposals, Mike Scarey stated that various text amendments and minor map amendments are being discussed and will be brought forward as appropriate. Also under consideration is a subarea plan in the vicinity of South 200<sup>th</sup> Street east of International Boulevard, and possible mitigation plans relative to the Port's development of the 55 acres and L-Shaped parcel.

Discussion was held about how best to improve communication with the public to minimize misunderstanding. Suggestions included a letter to property owners asking for input on short and long range plans for their property (particularly owners of numerous or large properties in and around the station areas), scheduling additional public meetings and open houses, clarifying in layman's terms the difference between a Comprehensive Plan Amendment and a Zoning Code Amendment, providing a

flowchart outlining how the proposed amendments go through all the stages from initial proposal to City Council adoption and implementation.

**B. Initial Discussion about Proposed Zoning Amendments regarding Allowing Kennels/Catteries as a "Permitted Use" in the Industrial Zone (SMC 15.12.040 #48)**

Jack Dodge provided a draft ordinance outlining a proposed amendment relative to allowing kennels/catteries as a permitted use in the Industrial Zone. Staff believes this use would be compatible with other uses allowed in that zone and recommends approval.

**C. Initial Discussion about Proposed Zoning Code Amendments regarding Changes to the Siting Hierarchy for Wireless Communication Facilities (SMC 15.31A.032)**

Jack Dodge provided a draft ordinance outlining a proposed amendment relative to the siting hierarchy in the Wireless Communication Facilities section of the Zoning Code. As a result of litigation, the requirement to site a facility on City-owned property if at all possible will be eliminated.

Discussion was held, and it was recommended that the language be general in nature, stating that facilities may be located on either public or private property within the City. Amended language will be provided at the next meeting.

**D. Discussion about Planning Commission 2006 Accomplishments and 2007 Goals**

Steve Butler outlined last year's accomplishments which include the 2006 Comprehensive Plan Amendments, Station Area Action Plans, Interim Design Standards for the South 154<sup>th</sup> Street Station Area, and proposed amendments to the Subdivision Code. Presentations to the Commission included Vision 2020+20, the City's annual Transportation Improvement Plan, and the Port's rental car facility.

Mr. Butler then opened discussion about the Commission's 2007 Goals. Discussion was held on the following items:

- Revisit South Riverton Heights Subarea Plan as needed – No consensus was reached.
- Update Planning Commission Bylaws – It was agreed this item would be removed.
- Monitor Sound Transit's plans for LRT alignment, station locations, and public art between S. 154<sup>th</sup> Street, the Airport/City Center area and S. 200<sup>th</sup> Street, and

any congestion issues that arise from the LRT project – It was agreed this item would remain.

Discussion was held about monitoring development in areas adjacent to the SeaTac/Airport station area; monitoring development in the South 200<sup>th</sup> Street/28<sup>th</sup> Avenue South area and whether or not the State Route 509 extension would be funded.

- Monitor progress of Port's plans for providing future access to Airport.

Discussion was held about changing "monitor" to "review, update, and recommend", and traffic concerns at 28<sup>th</sup> Avenue South and South 188<sup>th</sup> Street.

In-depth and lengthy discussion was held about steps the Commission could take to create an opportunity to review and make recommendations on major transportation issues, both Port and non-Port related, within the City. Steve Butler advised he would work with the public works director and the city manager to develop appropriate options to facilitate the Commission's goal. Further, the Planning Commission Bylaws, which are consistent with the SeaTac Municipal Code, outline far-reaching duties that authorize the Commission to act as a research and fact finding agency of the City, details of which could be incorporated into the 2007 Goals creating a work plan for the Commission to become more actively involved. The Commission asked that the information be provided to them via email.

#### **E. Review of Planning Commission Schedule for First Quarter of 2007**

Steve Butler advised that all items in the first quarter schedule were subject to change except the two public hearings scheduled for January 22.

In answer to a question regarding release of the Port's Comprehensive Development Plan EIS, Steve Butler advised that currently, the release date was set for February 12; however, the document cannot be released prior to FAA review and approval. The Commission will be provided with either disk or hard copy upon receipt of the document by the City, and scheduled for review and input at subsequent Planning Commission meetings.

The Chair directed that the election of the 2007 Commission Chair and Vice-Chair elections would be held on January 22. Further, Steve Butler will follow up on the apparent delay in appointing a new Commissioner (Richard Jordan asked that he be replaced some time ago).

#### **4. Detailed Commission Liaison's Report:**

None

#### **5. Planning Director's Report:**

Steve Butler advised that a Land Use & Parks Committee meeting is scheduled for Thursday, January 11.

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

An appreciation letter to staff from the Commission will be ready for their signatures in the near future.

**7. Adjournment:**

The meeting was adjourned at 7:15 pm.

**PLANNING COMMISSION**  
**Minutes of January 22, 2007, Meeting**

**Members Present:** Linda Snider, Tom Dantzler, Rick Lucas, Joseph Dixon, Richard Jordan

**Staff Present:** Jack Dodge, Principal Planner

**1. Call to Order:**

The meeting was called to order at 5:30 pm

**2. Approve Minutes of January 8, 2007, Meeting:**

A motion was made, seconded, and unanimously passed to approve the minutes of the January 8, 2007 meeting as presented.

**3. Public Hearing:**

**A. Public Hearing on Proposed Zoning Code Amendments Regarding Allowing Kennels/Catteries as a "Permitted Use" in the Industrial Zone (SMC 15.12.040 #48)**

Jack Dodge advised that the amendment proposal is being brought forward as a result of a request to locate a kennel in the Industrial Zone in the vicinity of South 192<sup>nd</sup> Street and Des Moines Memorial Drive; current code only allows kennels within the Community Business and Neighborhood Business zones. After reviewing the issue, staff has determined kennels/catteries are a compatible use and recommends they be allowed as a permitted use in the Industrial Zone.

The Chair opened the Public Hearing at 5:40 pm.

Chong Jones: Mr. Jones is one of the owners of a business called Airpet Hotel near the Portland, Oregon airport that caters to air travelers in need of pet boarding near the airport that provides a time saving, efficient alternative to traditional boarding facilities. They hold animals for the airport due to weather conditions or when a pet gets separated from its owner, and also serve travelers who wish to stay in hotels near the airport that do not allow pets. The facility would be approximately 10,000 square feet, running about 100 dogs a day during the holiday season (all dogs are kenneled indoors). A business license would be required, along with an annual King County inspection. The facility in Portland has an excellent record, and has had no complaints from neighbors.

Gary Graber: Mr. Graber owns the industrial property on which the facility would be located, and is in favor of siting the kennel.

Hearing no further requests to speak, the Chair closed the Public Hearing at 5:50 pm.

**B. Public Hearing on Proposed Zoning Code Amendments Regarding Changes to the Siting Hierarchy for Wireless Communication Facilities (SMC 15.31A.032)**

The Chair opened the Public Hearing at 5:51 pm.

Jack Dodge reiterated that references to priority siting for facilities on City-owned property had been eliminated; facilities may be located on either public or private property.

Hearing no requests to speak, the Chair closed the Public Hearing at 5:53 pm.

**C. Discussion about Recommendations to the City Council Regarding the Proposed Zoning Code Amendments**

A motion was made, seconded, and unanimously passed to recommend that the City Council approve the Zoning Code Amendment to allow kennels/catteries as a permitted use in the Industrial Zone.

A motion was made, seconded, and unanimously passed to recommend that the City Council approve the Zoning Code Amendment regarding changes to the hierarchy for wireless communication facilities.

**4. New Business:**

**A. Initial Discussion about Proposed Zoning Code Amendments Regarding Residential Parking Standards and Circular Driveways**

Jack Dodge advised that this amendment proposal was generated as a result of a code enforcement action when a residential property owner upgraded a legal nonconforming circular driveway from gravel to asphalt, and connected it to the street without a right-of-way permit. The Zoning Code does not address circular driveways; therefore, staff interpretation is they're not allowed. New circular driveways may not be created, and existing legal nonconforming circular driveways may not be expanded or upgraded due to the increase of nonconformity.

Current residential parking standards allow 10% or 1200 square feet (whichever is greater) of the site to be in offstreet parking surface (gravel, asphalt, or concrete), with up to 50% in the front yard (no more than 800 square feet on one side of the center line of the lot) and the other 50% in landscaping. Further, King County Road Standards require that, for residential lots less than 100' in width, only one access (curb cut) off the right-of-way is allowed.

Staff presented the issue to the Land Use & Parks Committee in October, 2006 for their direction. Initial discussion included whether or not to allow circular driveways, and the King County Road Standards requirement of one access for lots less than 100' in width. LUP referred the issue to the Planning Commission for further discussion, review, and recommendation.

Jack Dodge stated there were two issues for consideration e.g., whether or not to allow circular driveways in certain situations, and whether or not to allow existing legal nonconforming circular driveways to upgrade.

Discussion was held about driving surfaces not being included in the 800 square foot requirement; whether or not 50% of the 800 square feet in the front yard should be in landscaping; City regulations being overly restrictive; allowing circular driveways on a case by case basis; allowing legal nonconforming circular driveways to upgrade from dirt or sod to gravel, asphalt or concrete because it raises property values and improves the neighborhood; it being safer to drive straight out via a circular driveway, particularly onto busy streets.

The Commission suggested that language be amended to allow existing circular driveways to be upgraded to a higher standard surface (gravel, asphalt, or concrete) and maintain their legal nonconforming status. It was also suggested that circular driveways be allowed, provided they are a minimum 50' in diameter.

Amended language, along with additional examples of circular driveways within the City, will be presented at the next meeting.

## **B. Election of Chairperson and Vice Chairperson**

Rick Lucas was nominated for Chair. A motion was made, seconded, and unanimously passed to elect Rick Lucas as Chair of the Planning Commission for the year 2007.

Tom Dantzler was nominated for Vice Chair. A motion was made, seconded, and unanimously passed to elect Tom Dantzler as Vice-Chair. The Commission is aware that Mr. Dantzler will miss February and March meetings.

## **5. Old Business:**

### **A. Continued Discussion about 2007 Planning Commission Goals**

Commissioner Dixon presented a letter he had written to his fellow Commissioners outlining his concerns regarding what issues come before the Planning Commission and when. RCW 35A.63 creates the Planning Commission; The SeaTac Municipal Code Chapter 2.15 and the Planning Commission Bylaws adopt the RCW by reference. Mr. Dixon's letter addressed the Bylaws as follows:

- Section 4.1 - The Commission will serve as an advisor to the City Council to promote orderly physical development. (Mr. Dixon asked the question, "Were we an advisor on the plan to demolish and construct a new Station #46?")
- Section 4.3 - The Commission will prepare and recommend for adoption by the City Council changes to regulations or plans for physical development in the interest of health safety and general welfare. (Mr. Dixon stated he found it difficult to think of cases where the Commission was involved in such issues.)
- Section 4.5 - The Commission will act as the research and fact finding agency of the City in regards to development of growth management/annexation, land use, transportation, environmental management, parks/recreation/open space, housing, utilities, historical resources, community quality/design, economic development, and capital facilities. (Mr. Dixon feels the Commission has had little involvement in most of the City's developments, particularly transportation, parks/open spaces and capital facilities.)
- Section 4.6 - Conduct advance planning for public works. (Mr. Dixon couldn't think of any public works planning done by the Commission.)
- Section 4.7 - Establish other work priorities as the Council may direct. (Mr. Dixon couldn't think of any instance where the City Council has directed work priorities.)
- Section 4.10 - With Council approval, form ad hoc committees from within as well as outside, to study specific problems that may arise. (Mr. Dixon stated that no ad hoc committees were formed during his two terms as Commissioner.)

Commissioner Snider expressed concern that developers and/or citizens may not be aware that they can bring their concerns before the Planning Commission, and suggested that option be offered to developers during the Development Review Committee meeting.

Discussion was held about the Chair meeting with the mayor to:

- Address Commission concerns as cited previously;
- Request a study session between the City Council and Planning Commission as soon as possible;
- Articulate issues of concern to ensure there are no misunderstandings;
- The Commission being presented with issues earlier in the process to ensure their input is considered before final decisions are made;
- Issues that the Bylaws indicate may be reviewed and commented on by the Planning Commission not going before the Commission at all, but decisions being made by other Council Committees.

Commissioner Lucas stated that he would meet with Steve Butler and the mayor and report back to the Commission.

**6. Detailed Commission Liaison's Report:**

None

**7. Planning Director's Report:**

None

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

In answer to a question regarding appointing a new member to replace Richard Jordan, Jack Dodge explained that the mayor appoints committee members, which are then approved by the City Council.

**9. Adjournment:**

The meeting was adjourned at 7:30 pm

**PLANNING COMMISSION**  
**Minutes of February 12, 2007, Meeting**

**Members Present:** Rick Lucas, Linda Snider, Joseph Dixon, Richard Jordan

**Staff Present:** Steve Butler, Planning Director; Jack Dodge, Principal Planner; Albert Torrico, Senior Planner; Mark Johnsen, Assistant City Attorney

**1. Call to Order:**

The meeting was called to order at 5:30 pm.

**2. Approve Minutes of January 22, 2007, Meeting:**

Mr. Dixon stated that page 4, Section 4.1 says, "Mr. Dixon stated that the Commission was not an advisor on the construction of new station 46." He did not say that but asked, "Were we an advisor on the plan to demolish and construct a new fire station at station 46?" A motion was made, seconded, and unanimously passed to approve the minutes of the January 22, 2007, meeting as amended.

**3. New Business:**

**A. Initial Discussion about Proposed Zoning Code Amendments Related to the City/Port Interlocal Agreement**

Albert Torrico reported that Chapter 15.25 of the Zoning Code outlines allowed uses and development standards for the Aviation Operations and Aviation Commercial zones, referencing the 1997 City/Port Interlocal Agreement (ILA). The proposed amendments would make the Zoning Code consistent with the newly renegotiated 2005 City/Port ILA

Commissioner Dixon questioned why this was being presented to the Commission. Was it to proofread the proposed amendments? To pat Mr. Torrico on the back for such a good job? To show how diligent the Planning Department is? He believes this is a perfect example of wasting the Commissioner's time, and has something better to do with his time than go through twelve pages of cross-outs and date changes.

Jack Dodge explained that the Zoning Code requires that all proposed Zoning Code amendments be presented to the Commission for discussion and review, followed by a public hearing and a recommendation to the City Council.

Mr. Torrico outlined the proposed amendments as follows:

- All references to the 1997 ILA will be replaced with 2005 ILA.
- Section 15.25.050 Public Notice - This section would be deleted. The agency initiating the project (City or Port) would employ its respective noticing procedure. (The City would serve as a consultant on Port-initiated projects.)
- Section 15.25.070 Definitions - This section would be deleted.
- Section 15.25.090 changed to 15.25.070 Zone Classification Chart Revisions would ensure allowed uses are consistent with the 2005 ILA.
- Section 15.25.100 changed to 15.25.080 AVO/AVC Zone Classification Standards Standards would be deleted from the Zoning code as they have been incorporated into the 2005 ILA.
- Section 15.25.180 changed to Section 15.25.090 Landscape Standards Standards would be deleted from the Zoning Code as they have been incorporated into the 2005 ILA.
- Section 15.25.190 changed to Section 15.25.100 Design Standards Standards would be revised to reflect those negotiated as part of the 2005 ILA.
- Section 15.25.200 changed to Section 15.25.110 Critical Areas Standards would be revised to reflect those negotiated as part of the 2005 ILA.

Steve Butler advised that the 1997 ILA and the 2005 ILA were expected to be ten year documents. It was suggested that when negotiations on the next ILA commence, the Commission be invited to a workshop to discuss their issues of concern, particularly in regards to the Port being held to the same standards as any other developer. Steve Butler suggested language be added to the Commission's 2007 Goals so they can review the issue annually.

A public hearing is tentatively scheduled for February 26.

#### **B. Initial discussion about Proposed Zoning Code Amendments Regarding Accessory Dwelling Units (ADU) Standards**

Jack Dodge stated that current language in Chapter 15.97 of the Zoning Code requires that the property owner occupy either the primary dwelling or the accessory dwelling unit (ADU). The proposed amendments would accommodate multiple property owners by requiring that only one owner reside on the site. Further, if an ADU is constructed as a second story on a new or existing accessory structure (garage), the height

allowance would be determined using the calculation in Section 15.13.020c. This would allow additional flexibility and encourage pitched roofs as opposed to flat. If the accessory structure and ADU are to be constructed as one story, the total footprint would be allowed at 1,800 square feet (1000' square feet for the accessory structure and 800 square feet for the ADU) with a 20' height limit.

A public hearing is tentatively scheduled for February 26.

### **C. Initial Discussion about the Dom Warehouse Construction Proposal in the Business Park (BP) Zone**

A siding contractor, represented by Ms. Bozurka Morrison, is proposing to construct a storage facility on a 3.05 acre site at 18420 8<sup>th</sup> Avenue South. The subject property is currently zoned UL 7200 with a Comprehensive Plan designation of Business Park (five acre minimum). However, the Zoning Code contains a provision whereby an applicant may present a proposal before the Planning Commission to site a facility on less than five acres. The Planning Commission would then make a recommendation to the City Council who would take the final action.

Phase One would include construction of a 22,500 square foot warehouse; a second 34,500 square foot warehouse would be constructed as part of Phase Two. The structures would be constructed perpendicular to 8<sup>th</sup> Avenue with parking and 20' of landscaping on the street side to screen the loading areas and minimize visual impacts.

Commissioner Snider stated that a Comprehensive Plan amendment proposal to change the land use designation from Business Park to Industrial was submitted two years in a row for this area and rejected because the City did not want to increase density or allow additional commercial surface parking. Further, adjacent property owners who were asked for input regarding the proposal, overwhelmingly rejected the proposal.

Discussion was held about recommending that the City Council legislatively rezone the whole area to Business Park to expedite this and future projects (normally, all rezones must go before the Hearing Examiner); amending the Zoning Code to allow development on parcels of less than five acres in the Business Park zone; and making a recommendation on this specific proposal now and addressing the other issues separately.

A motion was made and seconded to recommend that the City Council rezone 13.5 acres to Business park and revise the minimum from five acres to three acres. The motion failed, one for and three against.

A motion was made and seconded to recommend that the City Council legislatively rezone the subject property, and that the project be allowed to proceed on three acres. Mark Johnsen recommended that the Commission make a separate recommendation to the City Council whether or not to allow this project to go forward, and address

reducing the minimum acreage requirement in the Business Park Zone and a legislative rezone for the entire area separately.

The previous motion was withdrawn. A new motion was made to recommend to the City Council that this project be allowed to go forward on a three acre parcel. The motion was seconded and carried three for and one against.

A motion was made, seconded, and unanimously passed to recommend that the City Council legislatively rezone the subject property to Business Park.

#### **4. Old Business:**

##### **A. Continued Discussion about Proposed Zoning Code Amendments Regarding Residential Parking Standards and Circular Driveways**

Jack Dodge provided additional examples (aerial and ground photos) of circular driveways within the City as requested by the Commission at their last meeting.

Discussion was held about the importance of allowing circular driveways, particularly on busy streets for safety; circular driveways enhancing properties, especially when landscaping is incorporated; potential liability issues for the City if circular driveways are not allowed; and providing an avenue for property owners on lots of less than 75' in width to be allowed two curb cuts, possibly through a variance or a hammerhead turnaround.

Jack Dodge clarified that the Commission was requesting that language be crafted to: (1) Allow circular driveways outright provided the surface is gravel, asphalt or concrete; (2) A variance or similar process be developed to allow two curb cuts on lots of less than 75' in width; (3) At least 50% of the front yard be landscaped; and (4) Existing circular driveway surfaces may be upgraded to gravel, asphalt or concrete and maintain legal nonconforming status.

##### **B. Continued Discussion about 2007 Planning Commission Goals**

As discussed earlier, it was suggested that an item be added to the 2007 Planning Commission Goals that the Commission be provided an opportunity for input at the beginning of any future ILA negotiations.

#### **5. Detailed Commission Liaison's Report:**

Commissioner Snider attended the Land Use & Parks Committee meeting and made the following report:

- Pictures were provided of the proposed Starbuck's facility being modeled after one on Mercer Island. Drive-through issues have been resolved, but whether or not an outdoor fireplace will be installed has not.

- The Dom Warehouse proposal was discussed; Committee members were in favor of allowing the project to proceed. Commissioner Snider was asked to provide comments on LUP discussions at the time an issue comes before the Commission.
- An update was provided on the permit streamlining process.
- Discussion was held about the Station Area Action Plan implementation and design of 30<sup>th</sup> Avenue South on the north side of South 176<sup>th</sup> Street.
- Discussion was held about small lot incentives within the proposed Subdivision Code to allow short plats up to seven lots.
- Discussion about potential Comprehensive Plan Amendments. Concerns were raised about a potential conflict of interest if the City Council as a whole or individual councilmembers suggest amendments because they ultimately take action on the amendments.

#### **6. Planning Director's Report:**

Steve Butler reported that the next Planning Commission meeting was scheduled for February 26 and the agenda tentatively includes two public hearings.

#### **7. Planning Commission Comments (including suggestions for next meeting's agenda)**

At the last meeting, Commissioner Dixon presented a letter addressed to his fellow Commissioners. He stated that in the minutes, portions of the letter were paraphrased and portions were quoted and that, conveniently if not deliberately, certain portions were omitted. In two places, he contended the Planning Commission was ineffective, underutilized, ignored, and, under its present utilization, a waste of the PC's time. His comments that the Commission was a farce and operated from a staff-generated agenda were left out. He further stated that if he was going to be paraphrased and quoted, the portions chosen to be included in the minutes should fully reflect his views, not those innocuous to people who prepare the minutes that seriously understated the intent of his letter. The minutes, with recommendations, often reached the City Council after they had taken action.

Steve Butler pointed out that even though the letter was entered as an exhibit, exhibits are not forwarded to the City Council, only the minutes, and that the Commission may wish to rescind their previous approval of the February 12 meeting minutes and amend them.

Commissioner Dixon went on to describe a telephone conversation during which the mayor stated he had requested the CD of the January 8 meeting, that the Planning

Commission was right on about their concerns regarding underutilization, asked for a copy Mr. Dixon's letter, he would work diligently to review new Planning Commission candidates with input from the sitting Commissioners, and that issues should be presented to the Planning Commission before the Land Use & Parks Committee. During a telephone conversation with Councilmember Wythe (Chair of LUP), Commissioner Dixon suggested he listen to the recording of the last Planning Commission meeting, and they discussed the mayor's proposal that issues be presented to the Planning Commission before LUP.

Commissioner Snider also had a telephone conversation with the mayor. They discussed the Commission being underutilized and not performing functions as authorized in the Revised Code of Washington, that the Commission had tried on numerous occasions to broach this issue with the City Council but was not well received, issues being presented to the Commission before LUP, and that she agreed with Commissioner Dixon's letter. She also had a telephone conversation with Councilmember Wythe and suggested he listen to meeting tapes and offered to provide him with a copy of Commissioner Dixon's letter.

Steve Butler also spoke with the mayor who indicated he was interested in clarifying procedures and would meet with the Commission Chair.

Mr. Butler encouraged the Commission, based on authorizations in both State law and their Bylaws, to think through what they want to do and put it forward affirmatively in writing using the yearly goals document. This action would also resolve the concern about a staff-driven agenda.

In answer to Commissioner Dixon's concerns regarding parking at the Airport Plaza site, Mr. Butler will review the issue with code enforcement. An update on the status of the Airport Plaza development agreement will be added to the agenda for the next meeting.

In answer to Commissioner Lucas' question regarding appointment of a new Commissioner, Mr. Butler stated the mayor was currently determining how to proceed.

## **8. Adjournment:**

The meeting was adjourned at 8:15 pm

**PLANNING COMMISSION**  
**Minutes of February 26, 2007, Meeting**

**Members Present:** Rick Lucas, Joseph Dixon, Richard Jordan

**Staff Present:** Jack Dodge, Principal Planner; Mike Scarey, Senior Planner; Albert Torrico, Senior Planner

**1. Call to Order:**

The meeting was called to order at 5:30 pm.

**2. Approve Minutes of February 12, 2007, Meeting:**

A motion was made, seconded, and unanimously passed to recommend approval of the minutes of the February 12, 2007 meeting as presented

**3. Public Hearing:**

**A. Public Hearing on Proposed Zoning Code Amendments Regarding the City of SeaTac/Port of Seattle Interlocal Agreement**

Albert Torrico stated that there had been no changes to the proposed amendments since the presentation at the last meeting.

After reviewing the Interlocal Agreement, Commissioner Lucas said the Port should be required to follow the same regulations and timelines as private developers. Further, they have the authority to purchase property outside the L-Shaped parcel; meanwhile, staff and the Planning Commission are attempting to make decisions for the South 154<sup>th</sup> Street Station Area. Of particular concern is proposed residential zoning adjacent to the L-Shaped parcel, Commissioner Lucas has maintained the area should be zoned for commercial use.

Commissioner Lucas also has questions regarding why the Port is allowed to use a portion of the parking taxes they pay to improve their property (no private property owner or developer would be allowed to do this), and why the City was paid about \$4.00 a square foot for 44 acres of vacated property, \$6.5 million, when private developers are paying between \$25 and \$40 a square foot. He also questioned the City's use of an additional \$10 million received. He suggested the proposed amendments be approved citywide, and does not wish to proceed until these and other questions have been answered.

Jack Dodge explained the SeaTac Municipal Code requires that all Zoning Code amendments be brought before the Planning Commission. If the Commission does not approve the amendments, the Zoning Code will remain inconsistent with the ILA

which is not going to change; it was negotiated by the City Attorney's Office, City Manager's Office, and Port officials. Mr. Dodge recommended an item be added to the Commission's 2007 Goals about having input into future ILA negotiations

The Chair opened the Public Hearing at 5:53 pm.

Hearing no requests to speak, the Chair closed the Public Hearing at 5:54 pm.

### **B. Public Hearing on Proposed Zoning Code Amendments Regarding Accessory Dwelling Unit (ADU) Standards**

Jack Dodge stated that the first amendment would, in the case of multiple property owners, require only one of the owners to reside on the site. The second amendment would address the issue of an accessory dwelling unit combined with an accessory structure. Current code allows an accessory structure to be 1000 square feet and 20' in height; an accessory dwelling unit may be up to 800 square feet and 30' in height. The proposed amendment addresses the issue of a combined accessory structure/accessory dwelling unit. If the structure is to be one story, it would be allowed at 1800 square feet and 20' in height; if the structure is to be two story, it would be allowed at 1000 square feet for the accessory structure, 800 square feet for the ADU. The maximum allowed height would be determined using the calculation in SMC 15.13.020c (the same as used for all single family dwellings) to allow additional flexibility and roofline variations.

Commissioner Dixon stated that the two-story roof height calculation in the proposed amendment is unclear, and should have its own illustration to clearly outline the calculations.

The Chair opened the Public Hearing at 6:05 pm.

Hearing no requests to speak, the Chair closed the Public Hearing at 6:06 pm.

### **C. Discussion about Recommendations to the City Council regarding the Proposed Zoning Code Amendments**

A motion was made and seconded to recommend that the City Council adopt the proposed Zoning Code amendments regarding the City of SeaTac/Port of Seattle Interlocal Agreement. The motion carried, two in favor and one against.

A motion was made and seconded to recommend that the City Council approval the proposed Zoning Code amendment regarding Accessory Dwelling Units. The motion carried, two in favor and one against.

## **4. New Business:**

## **A. Initial Discussion about Final Design Standards for S. 154<sup>th</sup> St. Station Area**

Mike Scarey advised that interim standards currently regulate the South 154<sup>th</sup> Street Station Area, having been adopted by the City Council effective January 1, 2007 for six months. Staff anticipates forwarding final design standards for adoption well in advance. Staff is also reviewing possible revisions to the City Center Plan as it would apply to the SeaTac/Airport Station Area (anticipating similar regulations will govern both station areas), as well as updates and clarifications as the regulations apply throughout the City.

### Final Development Standards for the South 154<sup>th</sup> Street Station Area

The interim standards will be amended to prohibit commercial park n' fly, address minimum/maximum parking requirements, allow reduced parking requirements for residential and/or commercial uses if common parking structures are provided, develop sign regulations specific to the station area, and other sections similar to City Center Standards such as building placement and design elements, ground floor retail requirements, and open space requirements. Staff is also researching incentive programs/strategies, minimum building height requirements, and view protection in the UH-UCR zone (currently about 15-20 stories per FAA regulations).

Commissioner Lucas reiterated his concern about residential zoning along South 154<sup>th</sup> Street, considering the Port may acquire additional properties adjacent to the L-Shaped parcel for commercial use (the ILA states that, "The City and the Port shall cooperate in fostering development of the Port-owned properties including but not limited to the L-Shaped parcel in that the properties included in the 2004 New Economic Strategy Triangle that NEST put together." He suggested the Planning Commission be provided with additional information and that either a portion of the ILA be revoked or the station area plan be revised.

Mike Scarey explained that the Port of Seattle has the right of eminent domain so it would be impossible for the City to block property acquisition. Although the L-Shaped parcel is nearby, properties adjacent to it are not included within the South 154<sup>th</sup> Street Station Area.

Discussion was held about the Port's land exchange with King County and Burlington Northern Railroad, with the Port taking ownership of Boeing Field and possibly moving Port-related industrial businesses into SeaTac, possibly to the L-Shaped parcel; the now tabled Riverton Heights Subarea Plan; and potential impacts if the Port petitions the City to vacate South 150<sup>th</sup> and South 152<sup>nd</sup> Streets.

### Major Issues Proposed to be Addressed for the City Center as a Whole

Updating parking garage standards, surface park and fly as an interim use prohibited, updates to minimum/maximum parking requirements, expansion of incentive program.

Additional Issues Proposed to be Addressed for the SeaTac/Airport Station Area

No drive-through facilities, sign regulations specific to the station area, additional requirements for ground floor uses in parking structures when facing pedestrian-oriented streets.

Discussion was held about what drives land values and potential impacts as a result of the proposed regulations; methods the City is using to foster pedestrian oriented uses within the station areas; allowances for commercial parking structures/surface parking/park n' fly as part of development agreements; and parking tax income.

**B. Update about Status of "Airport Plaza" Development Agreement**

Jack Dodge advised that, as a result of Sound Transit's right-of-way taking of approximately 75', the City is currently renegotiating the development agreement with the developers. Site plans are currently being redesigned, but have not yet been submitted.

Commissioner Dixon asked about the \$1 million penalty outlined in the original development agreement if the property owner does not proceed according to the stated timeframe, who would be renegotiating the development agreement, and whether or not the Commissioners would be provided with copies of the redesigned site plans. He also expressed concern about current parking issues on the site.

Jack Dodge said renegotiation of the development agreement would be handled through the City's Legal Department, City Manager's Office, with the Planning Director also involved. It may be possible to provide the Commissioners with revised site plans.

**5. Old Business:**

**A. Continued Discussion about Proposed Zoning Code Amendments Regarding Residential Parking Standards and Circular Driveways**

Jack Dodge stated that, at the last meeting, discussion was held about allowing nonconforming circular driveways to be upgraded from gravel to asphalt or concrete. Also discussed, was allowing circular driveways outright within the City under certain circumstances depending on lot and house configurations; variance requests would go before the Public Works Director for approval.

Mr. Dodge recommended tabling this issue to a future meeting because Public Works staff has concerns about additional curb cuts, particularly on arterials, and compliance with King County Road Standards that regulate City streets. The proposed

amendments will be reviewed by Planning and Public Works, with revised language presented to the Commission at a later date.

Commissioner Dixon presented a drawing of a hypothetical lot with a circular driveway to illustrate how the proposed amendment language would be implemented, particularly that stating, "Circular driveway vehicle parking area shall not exceed 50% or 800 square feet of front yard." Extensive discussion was held, with numerous variations, calculations, definitions, and issues of concern presented.

Jack Dodge advised that the proposed language should read, "In no case shall the circular driveway vehicle parking exceed 50% or 800 square feet of the front yard, whichever is smaller." A simple example would be if the front yard is 1000 square feet, 500 square feet is allowed in the front yard for parking area. Further, the illustration presented was not to scale and intended only as a guideline.

## **B. Continued Discussion about 2007 Planning Commission Goals**

Discussion was held about minor formatting issues. Commissioner Dixon suggested that the "notes" items on 3a and 3c be deleted.

### **6. Detailed Commission Liaison's Report:**

None.

### **7. Planning Director's Report:**

Jack Dodge advised that a public hearing was tentatively scheduled for March 12 on legal nonconforming driveways and the ability to upgrade from gravel to asphalt or concrete.

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

Commissioner Dixon reiterated his suggestion that the Commissioners be provided with the revised site plans as previously discussed, and be updated on the renegotiation of the development agreement.

He also asked that an agenda item be added to invite the city manager to discuss the 2005 ILA negotiations. Discussion was held about having that meeting separately; the Chair will discuss this issue with Steve Butler.

Commissioner Lucas asked that if any Commissioner wished to have an agenda item added, that the request be submitted to staff no later than the Tuesday prior to a scheduled meeting.

### **9. Adjournment:**

The meeting was adjourned at 7:45 pm.

**PLANNING COMMISSION**  
**Minutes of March 12, 2007, Meeting**

**Members Present:** Rick Lucas, Linda Snider, Joseph Dixon, Richard Jordan

**Staff Present:** Jack Dodge, Principal Planner; Mike Scarey, Senior Planner; Kate Kaehny, Associate Planner; Tina Rogers, Assistant City Manager

**1. Call to Order:**

The meeting was called to order at 5:30 pm.

**2. Approve Minutes of February 26, 2007, Meeting:**

A motion was made, seconded, and unanimously passed to approve the minutes of the February 26, 2007 meeting as presented.

**3. Public Hearing:**

**A. Public Hearing on Proposed Zoning Code Amendments Regarding Residential Parking Standards to Allow the Upgrading of Legal, Nonconforming Circular Driveways**

Jack Dodge stated that the issue of legal nonconforming circular driveways has been reviewed by both the Planning Commission and the Land Use & Parks Committee. LUP recommended that a legal nonconforming circular driveway be allowed to upgrade from gravel to asphalt or concrete, but not from sod or grass because current single family parking standards prohibit parking on grass. The proposed code amendment brought forward tonight would allow the surface of a legal nonconforming circular driveway to be upgraded from gravel to asphalt or concrete.

Commissioner Snider stated that, in previous discussions, the Commission had specifically recommended that grass or sod circular driveways be allowed to upgrade to gravel, asphalt, or concrete in the best interest of the City as a whole.

Jack Dodge agreed to strike the last sentence from Section 15.15.180G that states, "Sod or grass circular driveways shall not be deemed as legal nonconforming circular driveways."

In answer to a question about code enforcement, Mr. Dodge explained that regulations are enforced within the parameters of the City's process, the number of code enforcement officers and cases, and depending on circumstances and the degree of noncompliance.

The Chair opened the public hearing at 6:25 pm.

Jill Harmon, 3204 South 173<sup>rd</sup> Street – Ms. Harmon's parents created a circular driveway with a pea gravel surface when the home was built 47 years ago. Code enforcement has cited the property numerous times because of weeds growing through the existing driveway surface. Ms. Harmon now lives in the home as caretaker to her mother who cannot afford to have the driveway upgraded.

Commissioner Snider advised that various environmentally acceptable sprays to kill the weeds were available on the market. The Commission recommended that Ms. Harmon contact the City's Human Services Coordinator regarding financial assistance. If no assistance is available, Ms. Harmon was invited to contact the Commissioners again, and they would try to assist in reaching resolution on this issue.

Hearing no further requests to speak, the Chair closed the public hearing at 6:40 pm.

#### **B. Discussion about Recommendations to the City Council Regarding the Proposed Zoning Code Amendments**

It was agreed that amendment language in Section 15.15.180G will be revised to state that legal nonconforming circular driveways of sod or grass shall be upgraded to at least gravel, and legal nonconforming circular driveways of gravel may be upgraded to asphalt, concrete, or other approved surface.

A motion was made, seconded, and unanimously passed to recommend that the City Council approve the proposed amendment as revised.

#### **4. New Business:**

##### **A. Presentation on the Dollar Development/Scandia LLC Development Agreement**

Tina Rogers provided a summary highlighting the main points of the agreement as follows:

##### Departures From Code or Standards Allowed:

- Construction and location of a new, smaller office building;
- Relocation of two signs deviating from the sign code;
- No additional landscaping;
- Re-striping of the parking lot;
- Construction of a new access point on International Boulevard.

##### Public Benefit Received:

- Option to lease space for interim parking facility to serve SeaTac/Airport light rail station;
- Tax revenue generated;
- Improved aesthetics by removal of signs and replacement of fencing material;
- Applicant's good faith efforts to redevelop the site;
- All signage brought into conformance.

Effect of the Agreement at Termination:

- City's right to lease parking terminates;
- New office building remains at current location;
- Legal nonconforming use to continue;
- All signage brought into compliance with the Sign Code.

Discussion was held about landscaping; station area plans outlining new east/west roads connecting International Boulevard to the new north/south 30<sup>th</sup> Avenue; the timing of construction (as redevelopment occurs); and the public notification process (particularly affected property owners).

Commissioner Lucas provided the Commissioners with copies of the development agreement and related Code regulations for reference. He asked about the City's plans for construction of new roadways between South 170<sup>th</sup> & South 176<sup>th</sup> Streets.

Ms. Rogers explained that implementation of the station area plan through construction of infrastructure is being led by Public Works, with representatives from Planning and the City Manager's office also on the team. Working with affected property owners is a priority, and she asked to be notified if additional property owners need to be brought into the loop.

Commissioner Lucas suggested that a letter from the Commission be sent to all affected property and business owners requesting their input as to how the City could involve them more in the decisionmaking process, and alerting them to proposed development timelines.

Ms. Rogers suggested that she be invited to future meetings at which ILA issues are discussed, and that she and Steve Butler would be available to assist the Commission in preparing a list of concerns and meeting with them.

**5. Old Business:**

## **A. Continued Discussion about Final Design Standards for S. 154<sup>th</sup> St. Station Area and Related Amendments to the City Center Development Standards**

Mike Scarey introduced Kate Kaehny, Associate Planner, who distributed a summary of amendments to the use charts in the Interim Development Standards for the South 154<sup>th</sup> Street Station Area (Chapter 15.38) and Special Standards for the City Center (Chapter 15.35).

### Interim Development Standards for South 154<sup>th</sup> Street Station Area

- Zones not represented in the station area plan are not shown in the use charts;
- Footnotes referencing deleted columns are shown as stricken;
- Single family homes are exempt from provisions of the chapter e.g., not made non-conforming so property owners may make improvements at their discretion, and work with developers to negotiate redevelopment plans/rezones at their discretion.

### Special Standards for the City Center

- Industrial Zone deleted from use charts;
- Single family use prohibited in the station area;
- Drive-through uses prohibited in station area.

The Land Use & Parks Committee recommended the Interim Standards for the South 154<sup>th</sup> Street Station Area be extended if necessary to ensure sufficient public involvement in the process.

## **B. Continued Discussion about 2007 Planning Commission Goals**

Commissioner Lucas stated that he had met with the city manager and Steve Butler regarding how to get the Commission more involved in reviewing and making recommendations relative to land use issues; they will be meeting quarterly to address issues of concern. Separate meetings, including all the Commissioners, may be held on an as-needed basis.

Item B on page two was added that states, "Send a letter to all SeaTac property owners/business interests, asking for input on Planning Commission Priorities". Commissioner Lucas requested that the Commissioners submit agenda items for upcoming meetings.

Discussion was held about whether or not a quorum of Commissioners could meet privately, or if public notice and an open public meeting was required.

The issue of appointing new Commissioners was discussed. Richard Jordan asked to be relieved as of April 1 (he will stay until a replacement is appointed). Linda Snider stated that April 9 will be her last meeting. Joseph Dixon will leave at the end of his

term on September 17. Commissioner Lucas will contact the mayor regarding expediting appointments.

**6. Detailed Commission Liaison's Report:**

None.

**7. Planning Director's Report:**

None.

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

Commissioner Dixon stated that he had asked three times for an update on the Airport Plaza development agreement (Jack Dodge explained at the last meeting it was currently in renegotiation). Minutes of the last meeting state that it may be possible to provide the Commissioners with revised site plans; Commissioner Dixon takes issue with the word "may", and believes the plans should definitely be provided. The Commission was told that revised site plans were expected soon, but nothing has been forthcoming to date.

The Commission requested that the Airport Plaza revised site plans and the March 8 LUP minutes be emailed to them as soon as possible.

Commissioner Dixon requested that code enforcement make a presentation, and answer questions. It was agreed this would be added to the April 23 agenda.

Due to the lack of a quorum, the March 26 meeting was cancelled.

**9. Adjournment:**

The meeting was adjourned at 7:29 pm.

**PLANNING COMMISSION**  
**Minutes of April 9, 2007 Meeting**

**Members Present:** Rick Lucas, Linda Snider, Joseph Dixon, Richard Jordan

**Staff Present:** Steve Butler, Planning Director; Mike Scarey, Senior Planner; Kate Kaehny, Associate Planner; Craig Ward, City Manager

**1. Call to Order:**

The meeting was called to order at 6:00 pm.

**2. Approve Minutes of March 12, 2007 Meeting:**

A motion was made, seconded, and unanimously passed to approve the minutes of the March 12, 2007 meeting as presented.

**3. New Business:**

**A. Background Presentation on the 2005 City of SeaTac/Port of Seattle Interlocal Agreement by Craig Ward, City Manager**

Craig Ward began by explaining that, prior to the City's incorporation, the Port exercised authorities allowed by FAA as well as State and federal laws. After incorporation, the City tended to discount Port authority in favor of its own responsibilities and authorities. The jurisdictions sued each other, and the original 1997 City of SeaTac/Port of Seattle Interlocal Agreement (ILA) was negotiated as a mechanism for dispute resolution, particularly those resulting from overlapping jurisdictional authorities.

The 1997 ILA was renegotiated in the seventh year of a ten year term. Ground rules included an understanding of balance whereby both sides win, clear and concise language to provide clarity, completion of outstanding elements, and removal of completed and obsolete items.

**Key issues negotiated as part of ILA-2 include:**

- Extends for ten years the cooperative relationship between the City and Port
- Extends emergency response, SWM and building code agreements
- Provides for sharing of legislative agendas
- Provides clear, time-determined procedures to resolve disputes

- The Joint Transportation Study which anticipated changes to parking taxes, particularly pertaining to funding sources for south access, the westside trail, and the north arterial
- North SeaTac Park leasing
- Formalize an agreement relinquishing to the Port the City's authority to issue administrative permits
- Rights-of-way vacations
- Land use changes in the Port Comprehensive Development Plan
- Future uses
- Issues surrounding the Port being classified as an "Essential Public Facility (EPF)" were resolved through adoption of zoning requirements
- Standards were adopted to better deal with the L-shaped parcel.

Items to be resolved in the future include storm water fees, and a process to amend the City's Transportation Improvement Program. (A new process to amend the TIP is scheduled to be presented to the City Council at their April 10 meeting.)

#### **Exhibit A - Land Use & Permitting**

- CDP development
- Advance notice requirements
- New Port developments no longer expansion of an essential public facility
- Port will submit to City's annual Comprehensive Plan and Development Review Amendment process – City retains right to deny changes or impose mitigation; the Port retains right to challenge as an EPF. Increased Planning Commission authority
- City will exercise permit authority for some uses now permitted by the Port – Specifically hotels, convention facilities, and commercial parking not connected to the terminal
- New section on code enforcement
- New section requiring Port to notify their tenants to get a City business license
- Detailed procedures added for development review process for Port and non-Port projects– Airport use on Port property will be permitted by the Port; Non-Airport use on Port property will be permitted by the City
- Definite Port development standards – Includes consideration of Crime Prevention through Environmental Design (shielding light fixtures adjacent to City streets and concealing wireless communication devices visible from City locations)
- Agreement to comply with City Sensitive Areas Ordinance

#### **Exhibit B – Stormwater**

- Maintains current fee structure and standards; reevaluate in 2008

### **Exhibit C – Interagency Cooperation & Development Commitments**

- Port will not develop the L-shaped parcel until a letter of agreement addressing residential buffering, access, and street vacations has been executed
- Resolves responsibilities for south access and south link financing – An amount available from parking tax was identified and capped based on a percentage of dollars received
- Port commitment to at-grade local access at South 188<sup>th</sup> Street & 28<sup>th</sup> Avenue South, and full commercial access at South 170<sup>th</sup> Street – The issue of future increased traffic volumes creating congestion eastbound on South 188<sup>th</sup> Street between 28<sup>th</sup> Avenue South and International Boulevard remain unresolved.
- Completes joint transportation capital financial plan - The City and Port agreed on a new formula for calculating parking tax to generate additional revenue. The City will spend a portion of Port-generated parking tax revenue on south access (a cap was established for use of City funds, the Port will absorb cost overruns), the north arterial, and the westside trail (on both projects, the City will be responsible for cost overruns).
- Increased parking tax revenues to be used for City transportation improvements - \$54 million of new parking tax revenue will be dedicated to City's highest priority transportation improvements, the remaining \$29.5 million will be directed to transportation improvements to serve airport-oriented traffic
- Non-airport projects subject to traffic impact fees
- Resolves issue of westside trail payment
- Resolves issue of vacation of City streets
- Maintains Airport Beautification Plan
- Maintains Economic Partnership – Includes a Joint Advisory Committee consisting of three City councilmembers and two Port commissioners who meet quarterly
- Maintains JAC
- Clarification of tri-party agreement disputes
- Port agreement that ILA commitments not contingent upon FAA determination regarding revenue diversion

### **Exhibit D – Truck Haul**

- Maintains current arrangement

### **Benefits to the City of SeaTac**

- Maintains basis for cooperative City-Port relationship for 10 years
- Commits Port to financial neutrality of airport impacts on City revenues
- Retains previous provisions
- Preserves City land use authority without legal challenge
- Limits airport uses to existing port lands unless City approves
- Limits hotels to terminal connection unless City approves
- Resolves Joint Transportation Study capital financing issues
- Preserves parking tax revenues from 1997-2005 for City use
- Provides Port concurrence with interim south access and northend arterial

- Northend arterial would promote 55 acre site development
- Northend arterial would promote truck access to the L-shaped parcel from 24<sup>th</sup> Avenue
- Confirms Port support of a new westbound ramp at 24<sup>th</sup> Avenue to SR 518
- Supports development priority for the L-shaped parcel – The City will serve as lead agency to ensure that impacts to adjacent properties are minimized
- Assures commercial and private vehicular access to terminal drives when south access and new north expressways are constructed
- Resolves North SeaTac Park agreement issues
- The 1997 ILA provided an avenue for the City and Port (city manager and port director) to resolve specific administrative issues privately which has proven very successful, and therefore was maintained in ILA-2

Discussion was held about the Planning Commission's role and authority during the Comprehensive Plan & Development Review amendment process; at what point in the process issues would be presented to the Planning Commission; potential impacts of Port development along 28/24<sup>th</sup> Avenue South; the Port's seemingly reduced parking tax rate and whether or not the Port is being held accountable for past commitments including mitigation requirements.

Mr. Ward stated that Port of Seattle staff had offered to appear before the Commission to make a presentation regarding the ILA-2 and answer questions.

#### **B. Discussion about Potential Comprehensive Plan Amendments by Staff and the Planning Commission**

This item was tabled until April 23.

#### **4. Old Business:**

##### **A. Final Review and Action on the 2007 Planning Commission Goals**

Commissioner Lucas stated that three boxes would be added in the right margin for each item to identify its stage of completion; the document will be forwarded to the City Council, the Land Use & Parks Committee, and all department heads.

A motion was made, seconded, and unanimously passed to accept the 2007 Planning Commission Goals.

#### **5. Detailed Commission Liaison's Report:**

None.

#### **6. Planning Director's Report:**

Steve Butler reported that the April Land Use & Parks Committee meeting would be held on Wednesday, April 25.

The City is expecting the Port's Draft Environmental Impact Statement on the Comprehensive Development Plan soon. It will be provided to the Commission as soon as possible.

Mr. Butler then thanked Linda Snider for her service and dedication to the Planning Commission.

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

The code enforcement and L&R development agreement presentations will be postponed to May.

Commissioner Snider thanked her fellow commissioners and Steve Butler for the opportunity to serve on the Commission.

A luncheon will be scheduled to honor those leaving the Commission and to welcome new Commissioners.

Commissioner Lucas stated that he had met with the mayor and LUP Chair to develop a process whereby the Commission will be advised on all issues in a timely manner. Further, the PC and LUP will exchange agendas, and a meeting will be scheduled monthly between Steve Butler, the PC Chair, and the LUP Chair.

**8. Adjournment:**

The meeting was adjourned at 7:45 pm.

**PLANNING COMMISSION**  
**Minutes of April 23, 2007 Meeting**

**Members Present:** Rick Lucas, Tom Dantzler, Richard Jordan

**Staff Present:** Mike Scarey, Senior Planner; Kate Kaehny, Associate Planner; Tina Rogers, Assistant City Manager

**1. Call to Order:**

The meeting was called to order at 5:30 pm.

**2. Approve Minutes of April 9, 2007 Meeting:**

A motion was made, seconded, and unanimously passed to approve the minutes of the April 9, 2007 meeting as presented.

**3. New Business:**

**A. Presentation and Discussion about the Draft Environmental Assessment (EA) for the Airport's Comprehensive Development Plan (CDP) by Elizabeth Leavitt, Director of Aviation Environmental Programs and David McCraney, Manager of Environmental Review and Permitting (Port of Seattle)**

The Port of Seattle/SeaTac Airport Comprehensive Development Plan (CDP) Draft Environmental Assessment has been published; the thirty day public comment period ends May 11. Tonight's discussion will focus on a brief overview of the elements of the development plan, the environmental review process, and an outline of near-term and long-term projects.

Economic conditions after September 11 created a need to reevaluate the 1997 Airport Master Plan and make determinations about elimination of planned projects while creating additional airport capacity using less capital dollars. The resulting CDP is a demand driven document whereby projects are brought online as certain capacity benchmarks are reached. Near-term is defined as projects needed or under construction by 2010. Long-term projects are those needed or under construction from 2010 to 2023 or 2024 when the airport anticipates reaching capacity at 45 million annual passengers

The 12 near-term projects include taxiway improvements, expanded air cargo facilities, terminal roadway improvements, and expanded support facilities. The 49 long-term projects include airfield, terminal, landside, cargo, and other projects.

The environmental assessment is being reviewed under both national and state environmental policy acts. Near-term projects are being reviewed at project level

meaning all necessary information is currently available to assess potential impacts and develop mitigation. Additional environmental review may be necessary for long-term projects prior to construction. Areas of potential impact that may require mitigation include transportation, air quality, and noise and water resources such as groundwater contamination of the Riverton Heights Wellhead Protection Zone, the new freight cargo project north of SR518, and the consolidated maintenance warehouse/new south employee parking lot in the South Aviation Support Area. (Phase One of the new south employee parking lot will include capacity for 1100 vehicles. Phase Two will provide for approximately 800 additional spaces, Port staff will confirm the numbers and provide that information to the Commission.) Extending an existing runway southward is currently being discussed and would likely include improvements to habitat around Des Moines Creek and additional buffers. Pedestrian and bicycle access will be eliminated at South 180<sup>th</sup> Street following construction of the connection to SR509, but will be included in the north airport expressway relocation.

Discussion was held about coordinating the Port's development plans for the L-Shaped parcel with the City's efforts to develop and implement the South 154<sup>th</sup> Street Station Area Action Plan. The Port currently has no plans to square off the L-shaped parcel, however the ILA requires that an agreement be in place between the City and Port before any construction begins.

Concern was expressed about potential traffic impacts along 28<sup>th</sup>/24<sup>th</sup> Avenue South. Commissioners noted that through an LID, private property owners were assessed at a much higher rate than the Port. If traffic capacity is consumed through Port development, as a result of Port rezoning, or use of the corridor as an interim south access, private property owners who are waiting for favorable market conditions to develop may be unable to do so.

The south access project includes two components i.e. south link which is terminal roadways connecting to South 188<sup>th</sup> Street, and the south access freeway which will be grade separated under South 188<sup>th</sup> Street and continue south to connect directly to SR509. A comprehensive airport traffic forecast was done as part of the CDP from a level of service perspective at all major intersections, with mitigation options provided as needed. The ILA requires that if SR509 is not funded by the end of 2007, the City and Port will consider other options which may include 28<sup>th</sup>/24<sup>th</sup> Avenue South as an interim south access.

Commissioner Lucas requested that the Port clearly identify airport access for both local and commercial use on their maps to ensure clarity.

## **B. Initial Discussion about Proposed Comprehensive Plan Amendments, including City-initiated proposals**

Mike Scarey advised that tonight's discussion would focus on staff-generated proposed amendments as follows:

- Three carryover amendments from 2006 which include updating the Wetlands Map, Roadway Systems Map, and a placeholder contingent on results of a Fire Services LOS study.
- Apply Comprehensive Plan designation to undesignated parcels east of Military Road
- Consider applying Comprehensive Plan and Zoning designations to rights-of-way
- Update Sewer District/Service map
- Adding language to the Land Use Background Report clarifying the relationship between the land use and zoning maps incorporating relevant buildable lands information
- Update Commute Trip Reduction (CTR) section of the Transportation Element to include the CTR plan
- Consider re-opening the South Riverton Heights Subarea Planning process
- Revision to the transit section of the Community Image Element
- Revision of terminology in the Housing & Neighborhood Element to address mobile homes rather than mobile/manufactured homes
- Revise demand table for Water District #125 in the Utilities Background Report.

The deadline for proposal submittal is Friday, April 27. All proposals will be included on a "Preliminary Docket" which will be reviewed by the Commission, followed by adoption of a "Final Docket" by the City Council currently scheduled for July 24. A Planning Commission public hearing is tentatively scheduled for Monday, October 22, with City Council adoption of the 2007 Proposed Comprehensive Plan Amendments to follow on November 27.

#### **4. Old Business:**

##### **A. Continued Discussion about Final Design Standards for S. 154<sup>th</sup> St. Station Area and Related Amendments to the City Center Development Standards**

Mike Scarey reported that implementation strategies for both station areas are currently being developed. The current Design Standards for the South 154<sup>th</sup> Street Station Area are the existing interim standards.

## **Airport/City Center Station**

As part of the implementation strategy, staff has distributed a request for qualifications to design phase one of the north/south street.

A consultant will be hired to assist the City in creating an entertainment district. City Center Standards will be amended following completion of the previously referenced studies.

Discussion was held about what may be included in an entertainment district. Mike Scarey explained the concept was to provide a variety of restaurants, night clubs, and various other possible entertainment venues to encourage hotel patrons and City residents to stay in SeaTac (and draw families from other cities) instead of going to Seattle or Southcenter.

In answer to a question from Commissioner Dantzler regarding adequate parking at the South 154<sup>th</sup> Street Station, Mike Scarey stated that the City of Tukwila and Sound Transit have an agreement whereby Sound Transit is responsible for the following: (1) Construction of a 600 stall surface parking lot; (2) Through periodic assessments of parking availability, when that lot begins to reach saturation, adjacent property will be acquired and a second surface lot constructed; and (3) When the second lot begins to reach capacity, structured parking will be constructed on the initial site. All parking will be at no cost to light rail patrons.

Discussion was held about whether or not the City could negotiate a similar agreement with Sound Transit for parking at the Airport/City Center station, and also at South 200<sup>th</sup> Street if that station is constructed in the future.

Tina Rogers explained that a development agreement has been negotiated between the City and Sound Transit for the Airport/City Center Station that does not include Sound Transit providing any parking at the City Center station. The City's vision for the Airport/City Center station is that access to light rail be mainly via transit or drop-off, rather than a park and ride situation. This is consistent with the City's vision of intensive urbanization of the City Center area when those standards were developed. Light rail patrons may in the future choose to use a private parking lot.

If the voters approve funding of an extension of the light rail in November, the City anticipates a light rail station will be constructed at South 200<sup>th</sup> Street which would serve as the southern terminus until sometime in the future when light rail would extend to Fife.

Discussion was held about whether or not it would be appropriate for the City to revisit and possibly revise its vision for the City Center area in light of new developments; the City providing free commuter parking at the Airport/City Center Station; and the City providing free or subsidized parking for patrons of restaurants

and other possible entertainment venues in the station area. Tina Rogers noted that the costs of providing public parking for free in the City Center are prohibitive.

**5. Detailed Commission Liaison's Report:**

None

**6. Planning Director's Report:**

The April Land Use & Parks Committee meeting is schedule for Wednesday, April 25.

The Port will make this same presentation on the Draft Environmental Assessment of the Comprehensive Development Plan before the City Council on Tuesday, April 24.

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

Commissioner Lucas advised that the Planning Commission would forward concerns and issues to the Land Use & Parks Committee for their review and comment, and Land Use & Parks Committee would send concerns and issues for discussion to the Planning Commission. He also asked to see emergency preparedness plans for schools and City facilities in light of the Virginia Tech tragedy.

**8. Adjournment:**

The meeting was adjourned at 7:30 pm.

**PLANNING COMMISSION**  
**Minutes of May 7, 2007 , Meeting**

**Members Present:** Tom Dantzler, Joseph Dixon, Richard Jordan

**Staff Present:** Steve Butler, Planning Director; Mike Scarey, Senior Planner; Kate Kaehny, Associate Planner; Todd Cutts, Economic Development Manager

**1. Call to Order:**

The meeting was called to order at 5:30 pm.

**2. Approve Minutes of April 23 2007, Meeting:**

A motion was made, seconded, and unanimously passed to approve the minutes of the April 23, 2007 meeting as presented.

**3. New Business:**

**A. Presentation about SeaTac's Economic Development Programs by Todd Cutts, Economic Development Manager**

Todd Cutts stated that the goals and objectives of the City's economic development program were: (1) To improve the quality of life for the community; (2) Attract quality, family-wage jobs; (3) Augment the tax base; (4) Encourage private investment; (5) Continue to improve the image/identity of SeaTac to existing and prospective residents, visitors and business; and (6) Promote tourism and assist SeaTac hotels to attract more guests.

The economic development program includes real estate development, business recruitment, business retention, tourism promotion, and image and communication. Mr. Cutts reviewed the items as follows:

**Real Estate Development**

- Station Area Action Plan Implementation – Working through interdepartmental process, spearheaded by the Planning Department, to implement the station area plan.
- Entertainment District Study – The City is contemplating creation of an entertainment district along the new 30<sup>th</sup> Avenue South in the Airport/City Center station area. A consultant will be hired to identify successful entertainment districts nationwide, glean lessons learned, and apply those to SeaTac.
- Redevelopment Assistance Program – The City will be contracting with an architect and a development consultant team to prepare a feasibility analysis on preliminary designs and land uses to assist in encouraging private property owners

within both station areas to redevelop their property and understand redevelopment potential.

- Station Area Stakeholder Outreach - Working with the Planning Department and coordinating with other departments and consultants on outreach to station area property owners and businesses.
- International Boulevard Request for Mixed-Use Development Proposal – The City is continuing negotiations with Dollar Development on a potential four acre development at the corner of South 176<sup>th</sup> Street and International Boulevard. The McCracken/McConkey proposal was withdrawn.
- New Economic Strategic Triangle (NEST) – Working with the Port to expedite bringing the "55-acre" property to market for industrial development. A potential redevelopment study highlighting Port properties surrounding the airport (contingent on development of the north access road) envisioned freight truck traffic. A road will need to be built to mitigate traffic issues.
- Christian Faith Center site – Working with ProLogis and the property owner on a 250,000 square foot distribution/warehouse facility.
- Track property for sale in the SeaTac market - Tracking smaller infill properties throughout the City, assisting property owners in understanding development potential, and interacting with private developers.

### **Business Recruitment**

- Market Data/Information – Provide potential new businesses with information including demographics, workforce information, the current office/retail/industrial market, transportation, and utility information.
- Business Liaison – Assist businesses interested in locating in SeaTac in navigating through City processes such as business license and permit activity.
- NWProperty.net – Utilize NWProperty.net to locate compatible sites for businesses interested in locating in SeaTac. The website links to the Commercial Broker's Association website and outlines commercial properties for lease in the City.
- Small Business Development Center – Refer small business to the SBDC to obtain assistance in staffing, financing, business plans, etc. The center is a byproduct of Southwest King County Economic Development Initiative that member cities fund and support.
- Industrial Property  
In 2006, staff worked in a recruitment or retention capacity with 20 businesses interested in industrial properties, constituting 922,000 square feet and 549 employees. Sampling included distribution, warehousing, metal cutting, engineering, manufacturing, and water treatment. Specifically, ProLogis plans to build a 250,000 square foot distribution/warehouse facility at the Christian Faith Center site housing up to 300 employees.
- Retail Property

In 2006, staff worked in a recruitment or retention capacity with 16 businesses interested in retail properties, constituting 138,900 square feet and 308 employees. Sampling included personal services, car rentals, grocery stores and restaurants. Specifically, Blumenthal Uniforms signed a 13,500 square foot lease in SeaTac with 14 employees.

- Office Property

In 2006, staff worked in a recruitment or retention capacity with 9 businesses interested in office properties, constituting 32,500 square feet and 60 employees. Sampling included executive offices and call centers. Specifically, Northwest Kidney Centers signed a 27,000 square foot lease in Kilroy Office Complex that will employ 50 individuals.

### **Business Retention**

- Business Outreach Program

The City has contracted with Southwest King County Chamber of Commerce to conduct interviews with SeaTac businesses. Approximately 200 interviews per year over a four year period will be conducted, with 50% in person and 50% over the phone. A random sampling revealed that in the next one to three years: 66% of businesses would expand sales, 25% would expand space, 36% would expand equipment, 46% would expand employment, 48% increased revenues, and 39% have stable revenues. Companies planning to remain in current location is 77%, 4% may relocate outside SeaTac, and 81% perceive SeaTac as a positive location to do business.

### **Tourism Promotion**

- Staff Hotel-Motel Tax Advisory Committee Meetings – This committee (staffed by the Economic Development Manager) advises the City Council on the expenditure of approximately \$1 million in annual revenue generated by lodging tax.
- Hospitality Leaders Forum - April 19, 2007 Hospitality Leaders Forum brought hotels together to discuss how the City can help improve hotel occupancy, currently about 68-70%, and how to stimulate additional business during wintertime and weekend downcycles. The consensus was that the City needed to stimulate a city center to create a sense of place. Seattle Southside Visitor's Services receives about 40% of the \$1 million to market SeaTac to travelers and make direct reservations.

### **Image & Communications**

- Business Attraction Branding Campaign – Working with HadleyGreenCreates to create a brand to assist in the recruitment of business and new development in the City. Until recently, the City has been primarily reactive in economic development efforts, relying on public relations and articles in the Daily Journal of Commerce, Puget Sound Business Journal, and the South County Business Report. The City is now working strategically to stimulate interest in the community from a business and development perspective.

- Brand Communication – HadleyGreenCreates is developing a marketing action plan to effectively communicate the City's brand to appropriate audiences. Platforms include an economic development website, advertising, public relations, and collateral materials.
- Southwest King County Economic Development Initiative (SKEDI) - Market Seattle Southside as an economic development brand, leveraging the assets of all member cities into a cohesive umbrella marketing campaign, working as a team to create an overall marketing strategy. The goal is to ensure good quality of life for the southwest King County area, while emphasizing individual brands to attract businesses to each city.
- Memberships – Southwest King County Chamber of Commerce, enterpriseSeattle, Washington Economic Development Association, National Association of Industrial and Office Properties, and the Urban Land Institute.
- Activate Business Ambassador Program – Includes representatives from various SeaTac industry sectors, both public and private, to assist in strategic economic development planning efforts and to serve as a pool from which to draw ambassadors for business and developer recruitment and retention.
- SeaTac Report - Include economic development article in quarterly editions.

Commissioner Dantzer expressed concern about the Port's development plans for their property on the west side of 28<sup>th</sup>/24<sup>th</sup> Avenue South across from the proposed ProLogis facility, and whether or not it included earth removal for the third runway or a warehousing facility. Perhaps the Port and ProLogis could coordinate their development plans. He also asked whether or not there had been discussions with the Port and ProLogis regarding a second phase LID for 28<sup>th</sup>/24<sup>th</sup> Avenue improvements.

Todd Cutts reported that the City is currently working with the Port, through their Comprehensive Development Plan Environmental Assessment process, on traffic impacts and road infrastructure improvements on 28<sup>th</sup>/24<sup>th</sup> Avenue and how those would be funded. Discussions have taken place between SeaTac and Des Moines regarding the Des Moines Creek Business Park; as part of a development agreement, Des Moines may agree not to contest a future LID.

Commissioner Dixon suggested using the City's access channel to assist in economic development efforts. He doesn't believe an entertainment district that includes night clubs would increase the quality of life in the community, and that sometimes the City is more interested in generating income than in the quality of life of the community.

Commissioner Jordan expressed concern that new businesses were more likely to locate in the City if its neighborhoods and school system were upgraded.

## **B. Review of Comprehensive Plan Amendment Proposals Received from the Public by the Deadline of April 27, 2007**

Mike Scarey stated that, at the last meeting, staff-generated proposals were reviewed. Tonight's discussion will focus on the two proposals received by the public.

The first proposal is to annex property at the north end of the City; the northern boundary would be South 116<sup>th</sup> Street, the western boundary would be Des Moines Memorial Drive, and the eastern boundary would be the City of Tukwila. If approved, this would be a map amendment titled "Potential Annexation Area" in the Land Use Element.

The second proposal is for two properties on the south side of South 188<sup>th</sup> Street between 32<sup>nd</sup> Avenue South and 36<sup>th</sup> Avenue South to adjust the Comprehensive Plan Land Use designation from Residential Low Density to Commercial Medium Density (proposal is just west of two City-owned parcels proposed for a YMCA facility).

The next step is for staff to do an analysis of the proposals and prepare the "Preliminary Docket" which will be presented to the Commission for their review.

Discussion was held about the South 188<sup>th</sup> Street proposal i.e., whether or not there would be a public hearing, potential ingress and egress issues, and coordinating circulation patterns between the site outlined in the Comprehensive Plan Amendment proposal and the proposed YMCA facility.

### **C. Initial Discussion about the Planning Commission's Role in the Development Agreement Process**

Steve Butler stated that this issue had been discussed by the Planning Commission and Land Use & Parks Committee Chairs, and will be presented to the Land Use & Parks Committee at their next meeting. He reviewed two preliminary options created for discussion purposes as follows:

- Option 1  
A simplified flow chart of the process that moves from preliminary discussion of a concept to a formal application submitted to the City to negotiations (predominately at a staff level). A public draft development agreement will be released for review upon agreement by the city manager and applicant, followed by a public hearing conducted by the City Council and Council action.
- Option 2  
The concept, application, negotiations, and draft development agreement portions of the flow chart are the same as in Option 1. At that point, Option 2 differs in that the draft development agreement is reviewed by the Planning Commission, City Council, and Land Use & Parks Committee, followed by a City Council public hearing and Council action.

In answer to a question raised by Commissioner Dixon, Mr. Butler explained that "draft development agreement", in this context, means the draft development

agreement would be considered ready for release to the public only when both sides agree.

An Option 3 could include input from the Planning Commission closer to the beginning of the process, possibly prior to negotiations. It could comprise informal comments or a formal recommendation to the City Council at or before the public hearing.

The Commission agreed that a variation on Option 3 was preferred whereby the Commission would review the concept and provide input prior to the negotiation step. They also requested that Planning Commission review following the draft development agreement step as outlined in Option 2 be retained.

#### **4. Old Business:**

##### **A. Review of Draft City Comments on the Draft Environmental Assessment (EA) for the Airport's Comprehensive Development Plan (CDP)**

Mike Scarey explained that the City's Comments on the Port's Draft Environmental Assessment for the Comprehensive Development Plan would be compiled into an official letter and sent to the Port by the May 11 due date. A two week extension has been requested by the City, no response has been received to date. Not all comments have been received from the various City departments; Mr. Scarey reviewed a preliminary draft as follows:

##### Transportation

- The first comment addresses the new "South Aviation Development Area" (SADA). The proposal will have greater impacts to the 28<sup>th</sup>/24<sup>th</sup> Avenue arterial, given that the Port's portion of the LID was based on a lower impact SASA proposal. Available capacity may be absorbed by Port-related traffic and negatively impact redevelopment of privately held properties (assessed at a higher rate in the LID), likely to be delayed by the uncertainty of extending light rail.
- The current proposal is different from the extension of SR 509 that was modeled in the Joint Transportation Study.
- The impacts of signalizing several approaches to SR 518 are not analyzed.
- Freight traffic serving the "L-shaped" parcel and the 55-acre site via 24<sup>th</sup> Avenue South will have impacts to this largely residential neighborhood.

##### Airfield Projects

- The extension of runway 34R is problematic in that the runway protection zone will extend into Des Moines Creek Park and have a negative impact in its 100 year floodplain.
- Project A-25, the ground run-up enclosure is listed as a long-term project (should be a short-term project).

- Project A-31, the "noise wall study" is listed as a long-term project (should be a short-term project as its associated with the development of "L-shaped" which is a short-term project).

#### Non-motorized Transportation

- The City questions a "no impacts" statement, given that pedestrian access from South 182<sup>nd</sup> Street is proposed to be eliminated by 2024.
- There don't appear to be any pedestrian or bicycle facilities on Air Cargo Road.

#### Hazardous Materials

- The City questions the statement that near-term CDP projects would not increase solid waste generation/hazardous materials handling, given that a new bus maintenance facility is proposed and the bus fleet size will be increased.

#### Air Quality

- There does not appear to be a program for monitoring air quality, but there should be.

Discussion was held about the 28<sup>th</sup>/24<sup>th</sup> Avenue LID assessments and how to protect capacity on that arterial until private property owners are able to redevelop; potential impacts of the November vote on extension of light rail and SR 509 funding; the Port's use of 28<sup>th</sup>/24<sup>th</sup> Avenue as an interim south access; and the Port's CDP long-term project analysis of zoning as though properties were built out that indicates adequate capacity on 28<sup>th</sup>/24<sup>th</sup> Avenue.

### **B. Status Report on Final Design Standards for S. 154<sup>th</sup> St. Station Area and Related Amendments to the City Center Development Standards**

Kate Kaehny stated that amendments to the City Center Development Standards have not been completed pending results of various studies, so tonight's briefing will focus on the S. 154<sup>th</sup> St. Station Area.

Goals of the public involvement process include informing stakeholders and neighborhood residents of Station Area Action Plan goals and planned and funded projects, providing stakeholders and the public with opportunities to give input on proposed changes to development standards, and providing residents and property owners in potential rezone areas with information about the rezoning process.

The schedule includes completion of a draft of the final development standards by the end of May, and public involvement meetings in June, July, and August that would involve station area and development standards orientation meetings, public input on proposed changes to interim standards, and public review of final proposed standards. These meetings will be followed by Planning Commission and Land Use & Parks Committee review of the final draft standards in September, and Council action on the final standards in October.

Discussion was held about Tukwila's involvement in the City's station area planning process; Sound Transit's ridership forecasts, and the agreement between Sound Transit and Tukwila regarding parking facilities to accommodate light rail passengers; and

provisions in Sound Transit's interlocal agreements with both Tukwila and SeaTac regarding resolution of potential residential parking issues, possibly through resident parking passes.

**5. Detailed Commission Liaison's Report:**

None.

**6. Planning Director's Report:**

Steve Butler reported that a presentation by L&R Investment LLC is tentatively scheduled for the Commission's June 11 meeting.

A Land Use & Parks Committee meeting is scheduled for Thursday, May 10.

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

Commissioner Dixon asked about a presentation by code enforcement. Steve Butler replied that a presentation was tentatively scheduled for May 21.

**8. Adjournment:**

The meeting was adjourned at 7:30 pm.

**PLANNING COMMISSION**  
**Minutes of June 11, 2007 Meeting**

**Members Present:** Rick Lucas, Tom Dantzler, Joseph Dixon, Michael Siefkes, Richard Forschler

**Staff Present:** Steve Butler, Planning Director; Jack Dodge, Principal Planner; Mike Scarey, Senior Planner; John Schelling, Senior Planner

**1. Call to Order:**

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

**2. Approve Minutes of May 21, 2007 Meeting:**

A motion was made, seconded, and unanimously passed to accept the minutes of the May 21, 2007 meeting as presented.

**3. Public Hearing:**

**A. Public Hearing on Proposed Zoning Code Amendments Regarding Circular Driveways in Residential Zones**

The Commissioners agreed that a presentation on this issue prior to the public hearing was unnecessary.

The Chair opened the Public Hearing at 6:11 p.m.

Hearing no requests to speak, the Chair closed the Public Hearing at 6:12 p.m.

**B. Discussion about Recommendations to the City Council Regarding Proposed Zoning Code Amendments**

A motion was made, seconded, and unanimously passed to recommend that the City Council approve the Proposed Zoning Code Amendments Regarding Circular Driveways in Residential Zones as presented.

**4. New Business:**

**A. Overview of Draft Commute Trip Reduction Plan**

Mike Scarey reported that in 1991, the State legislature passed the Commute Trip Reduction Act (CTR) whereby all employers with more than 100 employees who arrive at work between 6:00 and 9:00 a.m. have a plan in place to encourage

employees to travel to and from work by means other than single occupancy vehicles. In 2006, the CTR regulations were updated to require jurisdictions to formalize their CTR program and include a goal to reduce single occupancy travel related to morning work trips by 10% from current 2007 levels by 2011, reduce vehicle miles traveled by 13% over the same time period, and integrate transportation and land use plans to facilitate achievement of CTR goals. Implementation is required by January, 2008, and will be facilitated by the Puget Sound Regional Council.

There are currently eleven employers in the City with more than 100 employees (including the City of SeaTac). The City employs an Employee Transportation Coordinator to assist employers, as well as facilitate the City's CTR program. The City has enacted the State's mandate through land use plans that include compact urban development along major transportation corridors, specifically the City Center Plan and the two light rail Station Area Action Plans. The City's formal CTR plan will likely become part of the Transportation Element in the Comprehensive Plan.

Discussion was held about penalties for noncompliance; the City assisting employers in developing their CTR Plan; possible incentives/subsidies for employers; having the CTR coordinator make a presentation to the Commission; various methods to accomplish commute trip reduction, i.e. free bus passes, van or carpooling, telecommuting; and a flexible work week.

## **B. Initial Discussion about Rezoning Options for the S. 154<sup>th</sup> Street Station Area**

Mike Scarey advised that the City Council had directed staff to expedite implementation of zoning changes in the South 154<sup>th</sup> Street Station Area. Therefore, three options have been developed for discussion purposes as follows:

The area in question comprises the South 154<sup>th</sup> Street Station Area plus the 2006 "Map Amendment #10" area which is between the western border of the station area and the Port's L-Shaped parcel just north of State Route 518.

- Option #1 - Status Quo: This method continues the process the City currently uses whereby an applicant submits a Rezone application, pays all fees, and is subject to the Hearing Examiner's decision to approve or deny.
- Option #2 – City Sponsored Rezones –The City would rezone the properties at no cost to property owners. Following the adoption of the City's Comprehensive Plan (in 1995 and 1996) the City used this approach for areas where zoning was not consistent with the land use outlined in the Comprehensive Plan. In the end, the City rezoned only some of the eligible properties, for several reasons: 1) some property owners did not favor the change, indicating that those areas were not ready to transition; and 2) where there was not consensus among property owners in a specific area, and the rezoning of only those property owners who favored the change would have resulted in a "checkerboard" effect. (City sponsored rezones go before the City Council for approval.)

- Option #3 – City Sponsored Rezones/Hybrid – Under this proposal, the City would also sponsor the rezone, and a “pre-approved” rezone would be approved, subject to certain conditions. The conditions would be developed in consultation with the affected property owners/residents, and would be intended to reduce the impacts of the transition on existing neighborhoods. Similar processes were used in two different areas of the City: the Bow Vista neighborhood, and the area around the intersection of S. 170<sup>th</sup> St. and 32<sup>nd</sup> Ave. S. (both in 2000). One of the conditions required that a 66% majority of affected property owners favor the rezone. (City sponsored rezones go before the City Council for approval.)

Discussion was held about City sponsored rezones to a higher intensity allowing property owners to get a higher price for their property versus a developer purchasing the property at a lower single family price and then rezoning; the reality that certain property owners will not support their neighborhood being transitioned to a higher density; and the City systematically eliminating single family neighborhoods by promoting upzoning.

Mike Scarey explained that the City Council has approved changes to a higher density in certain areas based on proximity to high intensity growth i.e. in the light rail station areas. Further, in areas where the City does not envision high intensity growth, no change from single family is indicated by the Comprehensive Plan Land Use Map.

This issue will come before the Commission at a future meeting for further discussion.

### **C. Initial Discussion about Tree Retention in Single Family Zones**

John Schelling reported that currently, single family residential properties are essentially exempt from tree retention requirements. Based on staff concerns, as well as those raised by adjacent property owners about clear cutting lots as part of new development (short plat or subdivision), staff has prepared revisions to existing regulations to clarify tree retention requirements that would address most concerns. A list of seven items was developed (with input and guidance from the Land Use & Parks Committee) to revise the Zoning Code and meet goals identified in the Comprehensive Plan to retain trees, specifically significant trees.

- Removal of significant trees on vacant single-family lots by property owners is currently prohibited, but not adequately identified in the Landscaping Section of the Zoning Code. This requirement would be outlined in the Landscaping Section of the Zoning Code for clarity.
- Removal of protected significant trees on recently subdivided lots by new owners is currently prohibited, but they are often unaware protected trees exist on their

property. A free permit would allow staff to identify protected significant and landmark trees so they are not removed.

- Retention of significant trees on single-family lots large enough to be subdivided/short-platted. A site plan review permit would be required before removing trees to close an existing loophole that allows a developed lot to be cleared prior to filing an application for a short plat or subdivision.
- Retention of significant trees along the perimeter of a subdivision/short plat would be required. All trees within setback areas would be retained, in addition to the 12% of interior trees currently required to remain.
- Significant trees retained at the time of platting are removed when building permits are issued because setbacks are chosen at the time of construction. New regulations would require that the building envelope be established as part of the platting process and that significant and landmark trees (including drip lines) be shown on the plat.
- Revise the definition of significant trees; and provide a new definition and regulations for landmark trees. The Zoning Code definition of significant trees would be revised to include a stand of trees that meet specific caliper and area requirements. New regulations would include a definition and regulations for landmark trees which could not be removed without approval by the City Manager or designee. An administrative variance process may provide protection to landmark trees while granting relief to the property owner.
- Revision to Appendices one through three in the Development Review Code (16A).
- Subheadings added to SMC 15.14.020 to assist in locating specific code provisions and purpose statements for clarity.

Discussion was held about potential liability to the City if a protected tree subsequently causes structural damage; proposed amendments not applying to single family properties where no covenant is in place to retain significant or landmark trees; requirement discrepancies between residential and commercial properties; how the value of a tree could be determined; and the best method to measure caliper and circumference of trees.

The consensus of the Commission was that tree retention requirements should be reduced rather than enhanced.

## **5. Old Business:**

**A. Continued Discussion about Proposed Comprehensive Plan Amendments**

Mike Scarey reiterated that the City had received an amendment proposal to annex a portion of the North Highline Annexation Area, and provided April 1, 2006 planning data comparisons between the City of SeaTac and the proposed annexation area as follows:

Population	
SeaTac	25,230
Proposed Annexation Area	2,982
Households	
SeaTac	9,500
Proposed Annexation Area	1,200
Square Miles	
SeaTac	8.3
Proposed Annexation Area	.25

Discussion was held about public meetings attended by residents in the proposed annexation area and their desire to not be split between jurisdictions. It appears the affected residents have not reached consensus as to which city they wish to annex to. The Commission requested they be provided with further analysis of police and fire services, etc. It was suggested that the annexation area be expanded north.

The Preliminary Docket will be presented at the next meeting.

**6. Detailed Commission Liaison's Report:**

None.

**7. Planning Director's Report:**

Steve Butler advised that the Commission will receive a briefing from the L & R Investment Company at their June 25 meeting.

A Land Use & Parks Committee meeting is scheduled for Thursday, June 14.

Discussion was held about a farewell luncheon for Linda Snider and Richard Jordan (and to welcome the two new Commissioners). It was agreed that an early dinner prior to the Monday, June 25 regular Planning Commission meeting was preferred.

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

Commissioner Dantzler thanked staff for articulating his concerns in their response to the Port's Environmental Assessment of their Comprehensive Development Plan.

Commissioner Lucas advised that a joint meeting between the Planning Commission and the City Council would be scheduled for the near future. He also suggested that the Commissioners be provided with all the City's development agreements, and reiterated that the Commission should be involved in the development agreement process as directed by the City Council.

Commissioner Dixon asked that staff refrain from handing out substantive materials at Commission meetings. It is difficult to study the materials and formulate questions and items for discussion during the meeting.

**9. Adjournment:**

The meeting was adjourned at 8:00 pm.

**PLANNING COMMISSION**  
**Minutes of June 25, 2007 Meeting**

**Members Present:** Rick Lucas, Tom Dantzler, Joseph Dixon, Michael Siefkes, Richard Forschler

**Staff Present:** Steve Butler, Planning Director; Jack Dodge, Principal Planner; Mike Scarey, Senior Planner; Kate Kaehny, Associate Planner; Mark Johnsen, Senior Assistant City Attorney; Dale Schroeder, Public Works Director; Desmond Machuca, Programs Coordinator

**1. Call to Order:**

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

**2. Approve Minutes of June 11, 2007, Meeting:**

A motion was made, seconded, and unanimously passed to recommend approval of the June 11, 2007 minutes as presented.

**3. New Business:**

**A. Initial Discussion about the Revised Design Concepts and Proposed Amendments to the "L & R Investment Co."/City of SeaTac Development Agreement**

Mark Johnsen stated that there is a development agreement in place between the City and L & R Investment to demolish the existing Airport Plaza Hotel and construct a parking structure with retail. Prior to permitting, Sound Transit determined they would need to take a portion of the site in a condemnation proceeding to accommodate the light rail guideway. As a result, L & R had to redesign the project and negotiate with the City to amend the existing development agreement.

Ann Lawler explained that during negotiations between L & R and Sound Transit, discussion had been held about Sound Transit granting an easement back that would be landscaped and credited toward the project's open space. Sound Transit agreed to give the easement in perpetuity until such time as the Port of Seattle needed the property to widen 28<sup>th</sup> Avenue South for use as part of a South Access expressway into the airport. A presentation was made to the City Council in May, during which concerns were raised about the property being counted toward bonusing which resulted in L & R developing a second option.

Option A (as presented to Council) outlines a larger parking structure, using the easement granted back from Sound Transit as open space for perhaps a lineal park-

type trail that may continue and tie into adjacent properties, retail space along International Boulevard, and a plaza and open area in front and on the sides of the retail. Option B would include a smaller parking structure (loss of approximately 87 stalls), with the required open space contained and fenced within the project.

The Zoning Code requires 400 square feet of retail and allows, as part of a bonusing program, one additional parking stall per 25 square feet of additional retail space, and one additional parking stall for every 150 square feet of open space above the 10% requirement. Further, a flat 60 additional parking stalls are allowed if a water feature is provided on the site.

L & R anticipates the need for approximately 40 to 50 short term retail stalls based on discussions with retail brokers. The total for long term parking stalls (secured by a gate) would be 1697 (including short term retail).

The character and layout of the site was described including a system for stormwater runoff retention, building and façade articulation, various construction materials, a canopy along a walkway, seating areas, pathways, and plantings.

Discussion was held about the area under the guideway being developed as open space either by L & R or Sound Transit; granting L & R the extra parking stalls in exchange for developing and maintaining open space offsite or payment in lieu of; ingress and egress from northbound International Boulevard and 28<sup>th</sup> Avenue South (particularly when widened by the Port); screening of vehicles in the parking structure per CPTED requirements; setback requirements; access in and out of the gated parking structure; percentage of valet/self-parking (25%-75%); delivery trucks servicing the retail; and City codes that may be modified as part of an amendment to the development agreement.

Steve Butler advised that further discussions between L & R Investment and the City are ongoing; L & R will make a presentation to the Land Use & Parks Committee and City Council in July (that will include Commission input). A copy of the existing development agreement will be provided to the Commissioners.

A straw vote was taken as to whether the Commission preferred Option A or Option B.

Two in favor of Option A, one in favor of Option B, two abstentions.

#### **B. Discussion about issues to be Discussed at a Joint City Council/Planning Commission Meeting**

It was agreed that the Commissioners would bring their agenda items for a joint meeting with the City Council to their July 9 meeting for further discussion.

#### **4. Old Business:**

## **A. Discussion of Attorney's Revisions to Proposed "Circular Driveway" Ordinance**

Jack Dodge stated that the intent of the Commission's previous recommendation had not been changed; however, the format had been revised slightly for clarity.

It was recommended that the proposed revisions as presented go forward to the City Council for approval.

## **B. Continued Discussion about Draft commute Trip Reduction Plan**

Dale Schroeder explained that the original commute trip reduction law was passed by the State legislature in 1991 that required all cities and urbanized county areas (including Puget Sound) to prepare a plan geared toward reducing single occupant vehicle (SOV) trips (one driver in one vehicle commuting to and from work). The law affects all employers with 100 or more employees who arrive at work between 6:00 and 9:00 a.m. A total of 17 sites within the City of SeaTac (all of which are participating in and support the program) are required to report progress toward goals for single occupant vehicles (SOV) and vehicle miles traveled (VMT). The intent of the law is to reduce auto-related air pollution, fuel consumption, and traffic congestion. A new law was passed in 2006 which requires that a CTR Plan be produced outlining specific goals and targets from 2007 to 2011. Goals are to reduce SOV trips by 10% and reduce vehicle miles traveled by 13%. There are no penalties for not meeting targets. Employers are required to designate an employee transportation coordinator, regularly distribute information about commute alternatives to employees, and implement a set of measures to increase the percentage of employees not driving alone. Statewide statistics indicate that from initial implementation of the CTR regulations through 2005, 20,000 fewer vehicle trips are made each weekday morning. Further, Washington and Oregon are the only states where SOV trips decreased between 1990 and 2000.

The City of SeaTac's employee transportation coordinator, Desmond Machuca, facilitates the CTR Plan by assisting affected SeaTac employers in implementing their CTR Plan, and providing information to City staff. The City offers subsidized transit passes, carpooling incentives, vanpooling opportunities, and a variety of related information.

Discussion was held about ways the City/County/State could provide incentives or offer promotions to offset some of the costs to local businesses, as well as acknowledging and/or rewarding City employers for their participation.

Desmond Machuca explained that most corporations view their CTR Program as a benefit, much like a Wellness Program or health benefits. Substantial expense to facilitate the CTR Program is not mandated, and can be accomplished through providing information and alternatives to employees.

A draft of the City's CTR Plan and a copy of the 2005 report will be provided to the Commissioners.

### **C. Continued Discussion about Rezoning Options for the S. 154<sup>th</sup> Street Station Area**

Mike Scarey provided some additional information for clarity, and explained that staff was reviewing three options as follows:

- **Option One** (Status Quo) – This is the process through which the property owner submits a Rezone Application to the City and pays all necessary fees. The proposal goes before the Hearing Examiner for approval.
- **Option Two** – This is a process whereby the City would rezone all eligible properties at no cost to the owners. An example is in both 1995 and 1996, following adoption of the Comprehensive Plan in 1994, the City undertook a City-sponsored rezone process and asked eligible property owners whether or not they concurred with the rezone of their property. Rezones were presented to the City Council, who determined that approval would be contingent on certain conditions being met such as a majority of the affected property owners concurring before the entire area would be rezoned.
- **Option Three** – This is a hybrid of Options One and Two whereby approval would be granted by the City Council contingent on certain conditions being met; those conditions would be developed in consultation with affected property owners.

Staff will meet with property owners groups in the extended South 154<sup>th</sup> Street Station Area to discuss concerns and review approval conditions.

A motion was made and seconded to recommend that the City Council approve Option Three. The vote was four in favor and one abstention.

### **D. Continued Review of the Preliminary Docket of 2007 Proposed Comprehensive Plan Amendments**

Mike Scarey briefly explained that the annual Comprehensive Plan amendment process includes staff development of the Preliminary Docket which compares all amendment proposals submitted by both the public and staff against certain criteria. The first step is for the Commission to recommend which proposals should go forward to the Final Docket. The Final Docket is then prepared and brought back to the Commission for further comment and review. A public hearing will be held later in the year, followed by a recommendation to the City Council as to which proposals should be approved as part of the 2007 Comprehensive Plan Amendments.

This item was tabled for further discussion at the next meeting.

**E. Update on Development of Final Design Standards for the S. 154<sup>th</sup> Street Station Area**

Mike Scarey advised that staff anticipates providing the Final Standards for Commission review in the near future.

**5. Detailed Commission Liaison's Report:**

None.

**6. Planning Director's Report:**

Steve Butler advised that a Transportation & Public Works Committee meeting was scheduled for Tuesday, June 26 at 2:00 p.m. A special City Council meeting is scheduled for Tuesday, June 26 between 5:00 and 6:00 p.m. focusing on station area implementation. On Wednesday, June 27, an open house will be held at the SeaTac Community Center from 5:30 to 7:30 p.m. regarding a study about creation of north SeaTac arterials to serve developments such as the Port's 55 acres and L-shaped parcel between 28<sup>th</sup> Avenue South and Military Road South.

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

In answer to a question, Steve Butler explained that the issue of tree retention would be presented to the Transportation & Public Works Committee for their input. The Planning Commission is not in favor of the regulations, the Land Use & Parks Committee is in favor of the regulations.

It has not yet been determined whether or not staff will move forward with proposed tree retention regulations, but unless the issue is dropped entirely, it will come back before the Commission in some form for a public hearing and recommendation to the City Council.

**8. Adjournment:**

The meeting was adjourned at 7:45 p.m.

**PLANNING COMMISSION**  
**Minutes of July 9, 2007 Meeting**

**Members Present:** Rick Lucas, Tom Dantzler, Joseph Dixon, Michael Siefkes, Richard Forschler

**Staff Present:** Steve Butler, Planning Director; Jack Dodge, Principal Planner; Mike Scarey, Senior Planner; John Schelling, Senior Planner

**1. Call to Order:**

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

**2. Approve Minutes of June 25, 2007 Meeting:**

On page three, 4B, Continued Discussion about Draft Commute Trip Reduction Plan, the second to last sentence will be amended to read, " Statewide statistics indicate that from initial implementation of the CTR regulations through 2005, 20,000 fewer vehicle trips are made each weekday morning."

A motion was made, seconded, and unanimously passed to approve the June 25, 2007 minutes as amended.

**3. New Business:**

**A. Quarterly Review of Planning Commission Goals**

Steve Butler stated that each year the Commission develops and adopts goals, with quarterly evaluation to amend as needed. The goals document is typically used as a discussion tool for the joint meeting between the Commission and the City Council.

**4. Old Business:**

**A. Continued Discussion about Proposed Comprehensive Plan Amendments, Including a Recommendation to the City Council about Establishing a Final Docket**

Mike Scarey stated that tonight's discussion would focus on review of the Proposed 2007 Comprehensive Plan Amendments, followed by the Commission making a recommendation to the City Council as to which Preliminary Docket proposals should go forward onto the Final Docket for further review.

- Map Amendment #1 – Amend Comprehensive Plan designation for properties located at 3507 South 188<sup>th</sup> Street.

There is currently no development proposal for the site; staff prepared two hypothetical development scenarios based on the proposed Comprehensive Plan designation and related allowable zoning uses. The first would be a four story residential mixed use development with retail or office use on the ground floor, and residential on the upper floors. The second would also be a four story structure with all commercial uses.

Staff recommendation: Alternative A – Forward only the north parcel to the Final Docket. Alternative B – Do not forward to the Final Docket. The alternatives were developed because the north parcel is directly on South 188<sup>th</sup> Street and may be appropriate for commercial use; however, the south parcel is adjacent to single family residential and a change to commercial use may create negative impacts. Further, the proposed amendment does not meet two criteria outlined in the Preliminary Docket.

Discussion was held about ingress and egress to the southern property, and resulting financial implications to the property owner; the advisability of splitting the proposal; buffers between residential and commercial uses, including a possible lot line adjustment; development of the property to the east of the proposal slated for a YMCA facility, and potential compatibility issues with surrounding properties such as adjacent commercial uses supporting the YMCA on the positive side, and increased traffic and light/noise pollution on the negative side; and South 188<sup>th</sup> Street transitioning into a major City arterial, and as such becoming incompatible with residential uses.

Steve Butler explained that this proposal is problematic because the applicant wishes to maintain flexibility in terms of possible development of the property. With no specific uses identified, it is difficult for staff to make a recommendation.

Commissioner Dantzler suggested that buffers such as tiering duplexes or townhouses between low density residential uses and higher density residential and commercial uses (such as those used in other areas of the City) may be appropriate.

Discussion was held about whether or not adjacent property owners and the community had been polled to determine their preferences (at this point, they have not); and certain properties on the north side of South 188<sup>th</sup> Street that have already transitioned to higher density uses.

A motion was made and seconded to recommend that Map Amendment #1 be forwarded to the Final Docket as submitted by the applicant.

Commissioner Forschler suggested that when the property is developed, trees or other buffers be required to insulate residential uses from higher density uses. (Commissioner Lucas advised that the City does have landscaping requirements that would address those concerns.)

A vote was taken; four votes in favor of recommending that Map Amendment #1 be forwarded to the Final Docket as submitted by the applicant, one vote against.

- Map Amendment #2 – Apply Comprehensive Plan designation to undesignated parcels located at 19432 and 19424 Military Road plus Tax Parcel 023900-0402.

Staff is recommending this proposal be forwarded to the Final Docket. To date, attempts to contact affected property owners for their input have been unsuccessful.

A motion was made, seconded, and unanimously passed to recommend that Map Amendment #2 be forwarded to the Final Docket.

- Map Amendment #3 – Apply Comprehensive Plan designations to rights-of-way (ROW)

Steve Butler stated that research is currently underway to determine how other jurisdictions address this issue

A motion was made and seconded to forward Map Amendment #3 to the Final Docket.

In answer to a concern raised by Commissioner Siefkes about approving "blank checks" that have no underlying apparent need, Mike Scarey explained that the purpose of the Preliminary Docket process was to eliminate unnecessary time and effort devoted to proposals not meeting required criteria. Proposals that meet Preliminary Docket approval and are moved forward to the Final Docket are then researched and scrutinized carefully to determine whether or not the proposals should be adopted permanently into the City's Comprehensive Plan.

A vote was taken; four votes in favor of recommending that Map Amendment #3 be moved to the Final Docket, one vote against.

- Map Amendment #4 – Consider re-opening the South Riverton Heights Subarea Planning Process.

The issues and questions that precipitated this proposal being included in the Preliminary Docket have now been addressed to the City's satisfaction. Therefore, staff is recommending this proposal not be forwarded to the Final Docket.

A motion was made, seconded, and unanimously passed to recommend that Map Amendment #4 not be forwarded to the Final Docket.

- Map Amendment #5 – Adopt a Potential Annexation Area (PAA) for a designated portion of the unincorporated North Highline area. Add a specific PAA map and appropriate policy and descriptive text within the Land Use Element.

Staff is making no recommendation as this is a City Council proposal that will require a substantial amount of staff time and City expense to study the feasibility of the proposed annexation. Mike Scarey stated that establishing the potential annexation area does not require the City to actually annex the area. However, adopting the PAA as part of the Comprehensive Plan would necessitate hiring a consultant to prepare a Supplemental Environmental Impact Statement at considerable expense.

Commissioner Siefkes suggested that Burien, Seattle, and SeaTac share the expense of hiring the consultant to do a study for all three jurisdictions. Steve Butler stated that Burien and Seattle have completed their analysis, portions of which would be useful to SeaTac, but specific impacts to SeaTac were not addressed. The City is in the process of scheduling meetings with Burien and Seattle regarding SeaTac's consideration of this annexation area. Further, each jurisdiction has slightly different proposed boundaries for the Highline Annexation area.

Commissioner Lucas believes the SeaTac annexation area should be expanded, and a study conducted to consider annexing a larger area.

A motion was made and seconded to recommend that Map Amendment #5 be forwarded to the Final Docket.

Discussion was held about the preferences of residents living in the Highline annexation area, and that apparently they will vote on which jurisdiction they wish to be annexed to; potential financial impacts, both positive and negative, of annexing the area as submitted in the amendment proposal; and potential financial impacts, both positive and negative, of annexing the area with expanded boundaries.

A vote was taken; one vote to recommend that Map Amendment #5 be forwarded to the Final Docket, and four votes against.

A motion was made, seconded, and unanimously passed to recommend that the boundaries of Map Amendment #5 be expanded to include South 128<sup>th</sup> Street to the south, State Route 509 to the west, the city limits of Seattle and Tukwila to the north, and the city limits of Tukwila to the east.

- Map Amendment #6 – Amend Map 1.4, Existing Land Use Map with current information.

Mike Scarey explained that, due to a different Buildable Lands reporting format this year, the City will not be generating the information to update Map 1.4, so staff is recommending that this proposal not be forwarded to the Final Docket.

A motion was made, seconded, and unanimously passed to recommend that Map Amendment #6 not be forwarded to the Final Docket.

- Map Amendment #7 – Amend Map A4.4 and Map 3.1, Existing and Proposed Roadway System, with current information.
- Map Amendment #8 – Update Map 5.1, Sewer Service Map, with current information.
- Map Amendment #9 – Amend Map 8.1, Wetland and Stream Classifications with current information.

A motion was made, seconded, and unanimously passed to recommend that Map Amendments #7, #8, and #9 be forwarded to the Final Docket.

Mike Scarey stated that the text amendments would be presented to the Commission in more detail during upcoming meeting presentations.

A motion was made, seconded, and unanimously passed to recommend that Text Amendments #1, #2, #3, #4, #5, #6, and #7 be forwarded to the Final Docket.

The City Council is scheduled to take action on establishing the Final Docket at their July 24 meeting.

**B. Continued Discussion about Proposed Zoning Code Amendments Regarding Tree Retention in Single Family Zones**

Lengthy discussion was held regarding why, and at who's direction, the proposed tree retention regulations were developed.

Commissioner Dixon stated that he wished to go on the record that he is willing to review and consider each element of the proposed tree retention regulations.

A motion was made and seconded to table the issue.

Discussion was held about whether or not the minutes of the June 25 meeting accurately reflected the discussion; whether or not the Commission's best arguments against the proposed regulations were communicated to the Land Use & Parks Committee (LUP); and additional regulations putting significant trees at risk by motivating people to cut trees down (reducing regulations eliminate that motivation and meet LUP goal of protecting significant trees).

Steve Butler stated that the purpose of bringing this issue back before the Commission was to ensure their position was clearly represented. Further, staff had been directed by a majority of the City Council and the Transportation & Public Works Committee to move this issue forward. A presentation will be made before the Land Use & Parks Committee on July 12. A public hearing has tentatively been scheduled before the Planning Commission on July 23.

Discussion was held about the public hearing process, specifically that the Commission be involved in determining when public hearings should be scheduled. Commissioner Lucas suggested that public hearings be held near the beginning of their review to ensure that public testimony be an integral part of their decision making process.

It was agreed that it was not necessary for the Commission to have further discussion until after taking testimony at the public hearing.

A vote was taken; the motion to table the issue was unanimously passed.

**C. Continued Discussion about Proposed Final Design Standards for the S. 154<sup>th</sup> Street Station Area**

Steve Butler stated that updated information will be presented to the Commission at their next meeting.

**D. Continued Discussion about Issues to be Discussed at Joint City Council/Planning Commission Meeting**

Steve Butler reiterated that at the last meeting, discussion was held about tentatively scheduling a joint meeting between the Planning Commission and City Council sometime during the week of September 24. The Planning Commission Goals will be used as a catalyst to begin discussions.

**5. Detailed Commission Liaison's Report:**

None

**6. Planning Director's Report:**

Steve Butler stated that the City Council is scheduled to take action on circular driveways at their July 10 meeting. A Land Use & Parks Committee meeting is scheduled for July 12.

Discussion was held about the original and amended Airport Plaza Development Agreements. Commissioner Siefkes suggested that a two or three page bulleted summary on the original, modified, and new proposed development agreements outlining deviations from current regulations, what the City's giving up, what the applicant's been asked to do, and City and applicant expectations would be helpful.

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

Commissioner Forschler asked that liability issues be part of the presentation prior to the public hearing regarding the proposed tree retention regulations.

**8. Adjournment:**

The meeting was adjourned at 8:05 pm.

**PLANNING COMMISSION**  
**Minutes of July 23, 2007 Meeting**

**Members Present:** Rick Lucas, Tom Dantzler, Joseph Dixon, Richard Forschler,  
Michael Siefkes

**Staff Present:** Steve Butler, Planning Director; Mike Scarey, Senior Planner;  
Mark Johnsen, Senior Assistant City Attorney

**1. Call to Order:**

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

**2. Approve Minutes of July 9, 2007, Meeting:**

On page five, under B. Continued Discussion about Proposed Zoning Code Amendments Regarding Tree Retention in Single Family Zones, the third paragraph reads, "Steve Butler stated that the purpose of bringing this issue back before the Commission was to ensure their position was clearly represented." This sentence will be deleted as the statement is duplicated in the first sentence of the last paragraph on the same page.

A motion was made, seconded, and unanimously passed to approve the minutes of the July 9, 2007 meeting as amended.

**3. Old Business:**

**A. Continued Discussion about the Revised Design Concepts and Proposed Amendments to the L&R Investment Co. et al. (aka "Airport Plaza")/City of SeaTac Development Agreement**

Mark Johnsen reported that the developer originally prepared two design proposals. One included a larger garage with open space located on Sound Transit right-of-way through an easement. The second option was a smaller garage with the open space contained on the property. The developer ultimately opted for the second proposal. The proposed project would include:

- Two retail buildings (13,800 square feet total) with approximately 40-45 parking spaces in front of the parking garage on International Boulevard to accommodate a variety of uses including a restaurant.
- A three-story parking garage with 1,678 parking stalls and 2,680 square feet for auto-service oriented retail use.

- Approximately 27,000 square feet of open space (mainly on the north side, with some fronting International Boulevard) with landscaping, walking paths, a water feature, etc.

In exchange for public benefit provided, the development agreement allows a deviation from the Zoning Code (which requires a 100' setback from International Boulevard) to allow the setback at 40' to 60', and an additional 75 parking stalls within the parking structure. The project and related amended development agreement will be presented to the City Council at their July 24 meeting for possible action.

Discussion was held about building the garage one story higher and maintaining the 100' setback requirement; other parking structure projects in the City that were not allowed a deviation from the 100' setback requirement; the City not negotiating aggressively enough with developers; holding the developer accountable to meet the terms of the development agreement, particularly the \$1 million penalty (possibly through a bond); ambiguous language in the development agreement that could lead to litigation; what the City is getting in exchange for negotiating a development agreement allowing an additional 75 parking stalls, a 50' setback, and auto-related service uses within the garage; and the definition of "mixed-use" and what types of retail that would include.

Steve Butler explained that every project is unique; therefore, each development agreement allows deviations from the code specific to that individual project in exchange for public benefit provided by the developer (which is also unique to each individual project).

The Commissioners expressed their concern about not having input into this development agreement. Their understanding is that all future development agreements, beginning immediately, will be brought before them prior to negotiations so their input may be considered. Further, simply a presentation after the fact is a waste of their time.

Steve Butler reiterated that City Council direction was that Planning Commission involvement in development agreements remain informal, with a presentation and input before negotiations begin, and an additional review before City Council action if time allows.

Discussion was held about the Commission's frustration with the current process of negotiating away Zoning Code requirements they worked hard to develop and implement without an opportunity to provide input; and state laws governing the Planning Commission's role.

## **B. Continued Discussion about Proposed Comprehensive Plan Amendments**

Mike Scarey explained that the "Preliminary Docket" indicates, through the use of underlines and crossouts, changes since the Commission's last review. Tonight's discussion will focus on two specific amendments as follows:

- Map Amendment #3 - Apply Comprehensive Plan designations to rights-of-way (ROWs)

Internal discussions resulted in a determination that uses in ROWs can best be addressed through an update to the Zoning Code, making this proposal unnecessary. Therefore, staff has revised its recommendation to "Do not forward to Final Docket".

A motion was made, seconded, and unanimously passed to remove Map Amendment #3 from the "Final Docket".

- Map Amendment #5 - Adopt a Potential Annexation Area (PAA) for a designated portion of the unincorporated North Highline area

Alternative A – Original Comprehensive Plan Amendment proposal. Approximately .5 square miles bounded by Des Moines Memorial Drive to the west, S. 116<sup>th</sup> St. to the north, and Tukwila city limits to the east.

Alternative B – Developed by the Planning Commission. Approximately 3 square miles bounded by SR 509 to the west, Seattle city limits to the north, and Tukwila city limits to the east.

Mr. Scarey presented a map created by staff that outlined the expanded "Alternative B" annexation area in double dark blue lines. It was agreed that the map correctly represents the Commission's Alternative B expanded PAA area.

Commissioner Lucas suggested the potential annexation area be studied in sections to determine potential financial impacts/economic benefits.

Discussion was held about the Planning Commission's recommendation to the City Council that Alternative B of Map Amendment #5 be moved forward to the Final Docket. It was determined that additional action to clarify the Commission's intent was not necessary.

Steve Butler explained that the annexation area could be reduced at the City's discretion. Further, studies already completed by Seattle and Burien will be made available to the City for review.

### **C. Continued Discussion about Proposed Final Design Standards for the S. 154<sup>th</sup> Street Station Area**

Mike Scarey reviewed a partial draft of the Final Special Standards for the S. 154<sup>th</sup> St. Station area as follows:

- Section 15.38.010 outlines the City's urban design vision.
- Section 15.38.020 Authority and Application has been updated to include prohibiting long term public/private parking facilities, and that existing single-family homes are exempt from the provisions of the standards.
- Section 15.38.025 would require pre-application and Development Review Committee meetings to provide early design guidance.
- Section 15.38.105 outlines prohibited uses, including drive-through facilities.
- New Section 15.38.350 Building Height
- New Section 15.38.950 Development Incentive Program

**D. Continued Discussion about Issues to be Discussed at Joint City Council/Planning Commission Meeting**

Steve Butler announced that a joint meeting between the City Council and Planning Commission has tentatively been scheduled for Tuesday, September 25 from 5:00 to 5:50 p.m. prior to that evening's Council meeting.

Commissioner Lucas asked that the Commissioners come to the first meeting in September with potential agenda items for the joint meeting.

The following potential agenda items were discussed: (1) Clarification of the process regarding Commission input into development agreement applications; (2) A chart outlining how the roles of the City Council, Planning Commission, Land Use & Parks Committee, and staff flow together; (3) Clarification on the public hearing process.

Commissioner Lucas stated that he talks with the LUP Chair bi-weekly to discuss various issues of mutual interest and concern, including possible agenda items for both bodies.

Commissioner Dantzer suggested it would be helpful for the Commission to get a briefing from staff on protocol at an upcoming Commission meeting. It would also be helpful to get a clarification as to how the determination is made on which issues go before LUP first and which issues go before PC first.

Steve Butler recommended that discussions continue between staff, PC, and LUP to ensure all issues are discussed and resolved.

Commissioner Lucas clarified that the Commissioners would hold their regular meeting on Monday, September 24 in addition to the special joint meeting with the City Council on September 25.

**4. Detailed Commission Liaison's Report:**

None.

**5. Planning Director's Report:**

Steve Butler stated that there would be no Planning Commission meetings in August. The next meeting is scheduled for September 10.

The Land Use & Parks Committee will be meeting on August 9.

One City Council meeting is scheduled for August, on August 6.

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

Commissioner Lucas explained that the public hearing previously scheduled on tree retention standards had been postponed to provide staff time for additional background research. This issue will come back before the Commission, and a public hearing scheduled, at a later date.

Discussion was held about an article that appeared in the "SeaTac Times" regarding the City's potential annexation of a portion of the north highline area, and the Planning Commission's recommendation. Commissioner Lucas said he spoke with a reporter from that paper who was dissatisfied with Mr. Lucas' response so went elsewhere for the information that was published in the "SeaTac Times" which apparently misrepresented the Commission's position.

Commissioner Dixon provided a letter he had written to the mayor and presented at the January 8, 2007 Commission meeting outlining his concerns about the role of the Planning Commission. He also offered minutes of the Commission's 2007 meetings to the new members.

**7. Adjournment:**

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

**PLANNING COMMISSION**  
**Minutes of September 10, 2007, Meeting**

**Members Present:** Rick Lucas, Joseph Dixon, Richard Forschler, Michael Siefkes

**Staff Present:** Steve Butler, Planning Director; Mike Scarey, Senior Planner; Kate Kaehny, Associate Planner; Tina Rogers, Assistant City Manager

**1. Call to Order:**

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

**2. Approve Minutes of July 23, 2007, Meeting:**

A motion was made, seconded, and unanimously passed to approve the minutes of the July 23, 2007 meeting as presented.

**3. New Business:**

**A. Presentation and Discussion about the Airport's Rental Car Facility (RCF) Design by Tina Rogers, Assistant City Manager and Kathy Cox-Czosnyka/Heather Bornhorst (Port of Seattle)**

Heather Bornhorst stated that tonight's presentation would include updates on the project's purpose and location, design and construction schedule, building and landscape concepts, nighttime renderings, and the art program.

The consolidated rental car facility is proposed at the intersection of International Boulevard and South 160<sup>th</sup> Street, with a bus connection to the terminal. Design of the facility is at 60% completion, construction is slated to begin in April, 2008. The Port is continuing negotiations with the Washington State Department of Transportation (WSDOT) on off-site road improvements, anticipating construction to begin in approximately July, 2008 (WSDOT is selling a portion of their right-of-way to the Port which increases the project site area somewhat). Conceptual design for the bus maintenance facility is in the beginning stages, with construction to begin in April, 2009. It is anticipated the facility will open in the first quarter of 2011.

The site will include three main areas of landscaping: (1) At the bus entrance area on the southwest corner of the project; (2) On the building frontage prominent to the intersection of International Boulevard and South 160<sup>th</sup> Street (to include wall treatments); and (3) At the customer entrance located on the northeastern portion of the project. Landscaping concepts were shown at the time of planting, at ten years, and at twenty years (maturity).

The power point presentation also included nighttime renderings of the site from southbound International Boulevard, the north side of SR 518, westbound South 160<sup>th</sup>

Street, and the intersection of South 160<sup>th</sup> Street and International Boulevard. Certain viewpoints presented were somewhat inaccurate, and will be corrected as the design phase of the project is finalized.

A design team artist has been selected. Concepts will be presented to the Visual Review Committee and the Art Oversight Committee in mid-August.

In answer to a question from Commissioner Lucas about whether or not the project will continue, Ms. Bornhorst explained that concerns have arisen about the increasing cost of the project. Planning decisions are being re-evaluated, and options are being explored. However, plans for the rental car facility are moving forward, with a decision likely to be made in early 2008.

Tina Rogers stated that the City has agreed to amend certain setback and landscaping requirements to diminish the scale of the building and improve aesthetics. She further offered to provide previous presentation materials to the new commissioners.

Discussion was held about the facility's design and building requirements being governed by the Interlocal Agreement as it is located on Port-owned property. Concern was raised that private developers within the City are held to more rigid standards.

#### **4. Old Business:**

##### **A. Continued Discussion about Proposed Final Design Standards for the S. 154<sup>th</sup> Street Station Area**

The design standards are based on the City Center Standards and transit station/town center regulations developed by adjacent jurisdictions. Kate Kaehny provided photographic images of completed developments in other cities as examples, and reviewed the proposed final standards as follows:

##### **Section 15.38.300 Site Planning and Building Orientation**

- Maximum front yard setback is 20' adjacent to International Boulevard, and 10' adjacent to all other public/private streets for at least 60% of the buildings front façade. The remaining portions of the front façade may be stepped back a maximum of 20' more under certain circumstances subject to approval by the Director of Planning and Community Development.
- Exterior light fixtures illuminating the pedestrian walkway network and building entrances must be between 12' and 15' in height. Lighting standards for parking areas must be no greater than 16' in height. Light standards will be approved by the Director of Planning and Community Development.

In answer to a question from Commissioner Siefkes, Kate explained that the City's Crime Prevention Through Environmental Design (CPTED) standards will be incorporated into the station area standards as appropriate.

Commissioner Forschler expressed concern over the added cost that detailed standards could add to projects. He suggested the City should consider publishing general design philosophies, rather than specific standards, with the goal of allowing more flexibility for developers. Steve Butler stated that clearly defined regulations are preferred by developers as it ensures everyone is held to the same standards. However, in many cases, flexibility is allowed if the intent of the regulations is met or exceeded, subject to Mr. Butler's approval as the Director of Planning and Community Development. Commissioner Dixon agreed with Mr. Butler.

- Ground floor transparency requirements include that building facades must have clear windows with visibility into and out of the building; screening may be applied to provide shade and energy efficiency.
- The primary building entry must be located on the front façade facing a public street with pedestrian-scaled ornamental lighting no greater than 15' in height.

### **Section 15.38.500 Building Design**

- Blank wall sections may not exceed a length of 40' or 20% of the length of the street-facing façade, whichever is less. A minimum of one piece of public art such as murals, artistic lighting displays, decorative masonry pattern, wall modulation, vertical trellises, or glass window displays every 50' on at least 50% of the of the blank wall surface may be allowed subject to approval by the Director of Planning and Community Development.
- All building facades must include measures to reduce the apparent scale of the building, with intervals of architectural variation at least every 35' over the length of the applicable façade.
- Pedestrian weather protection structures must extend a minimum of 4' out from the building façade along at least 80% of the front of the building.

### **15.38.900 Parking Structures**

- Parking structure facades must have the appearance of an office building or hotel use with design features that would mask the building as a parking structure. Structures over 100' in length must incorporate vertical and/or horizontal variation in setback, material or fenestration design. Facades facing a public or private street or pedestrian way must be designed without continuous horizontal parking floor openings and minimize views into the upper floors, and incorporate intervals of architectural variation at least every 35' over the length of the applicable façade. Setback requirements are the same as in Section 15.38.500.

- A minimum of 60% of the length of the exterior ground floor face fronting a public or private street in the CB-C and UH-UCR zones must provide availability for retail/commercial or service uses. The applicable ground floor area must extend in depth a minimum of 30' from the exterior façade; may be averaged with no depth less than 15'.

Additional sections of the proposed standards will be reviewed at the next two meetings. Council action on the final design standards has been rescheduled to November 13.

The Commission expressed their appreciation of the visual aids and requested they be provided at future meetings to facilitate review of subsequent sections.

## **B. Continued Discussion about Proposed Comprehensive Plan Amendments**

Mike Scarey reviewed the proposed amendments as follows:

### **Land Use Element (Text Amendment associated with PAA Map Amendment)**

- New Policy 1.8B – Develop annexation procedures to ensure compliance with the City's Comprehensive Plan and regional goals.
- New Strategy 1.8B – Establish Annexation Procedures
- Land Use Background Report – Identifying the potential annexation area. (The last sentence will be amended to include the City of Seattle.)

These amendments will be included if the City Council adopts a potential annexation area.

### **Text Amendment #3 – Housing & Neighborhood Element**

- References to "mobile/manufactured homes" will be changed to "mobile homes" because manufactured homes are categorized with built-in-place-homes.

### **Text Amendment #6 – Utilities Element**

- Minor changes to Figure A5.16 to reflect accurate information.

### **Text Amendment #7 – Community Image Element**

- Update the Plan to reflect current information relative to the locations of the two station areas and related action plans. Reference to a future transit station proposed for South 200<sup>th</sup> Street and 28<sup>th</sup> Avenue South has been added.

Steve Butler advised that review of the Proposed 2007 Comprehensive Plan Amendments would continue at the next several meetings, culminating in a public

hearing tentatively scheduled for November 5. The City Council is tentatively scheduled to take action on the amendments at their second meeting in November.

The Commission requested that future meeting agendas include a schedule outlining review, public hearing, and action dates for issues they are considering.

**C. Continued Discussion about Issues to be Discussed at Joint City Council/Planning Commission Meeting**

Steve Butler reported that the meeting was scheduled for Tuesday, September 25 from 5:00 to 5:45 p.m.

Commissioner Forschler suggested that it would be helpful if the Commissioners were provided with state statutes relative to the role of the Planning Commission.

Steve Butler agreed to provide the statutory background. He advised that the statutes were broad-based, policy decisions as to the Planning Commission's role and latitude were determined by the City Council.

Discussion was held about the Commission's role in reviewing development agreements and the Interlocal Agreement between the City and Port; ensuring that all appropriate issues be presented to the Commission in a timely fashion and communications between the Land Use & Parks Committee Chair, Planning Commission Chair, and Planning Director to ensure appropriate issues are presented to the appropriate body at the appropriate time.

**5. Detailed Commission Liaison's Report:**

None.

**6. Planning Director's Report:**

Steve Butler advised that the next Land Use & Parks Committee meeting was scheduled for Tuesday, September 18 at 4:30 p.m.

The City Council is scheduled to take action at their September 11 meeting on hiring a consulting firm to assist the City with issues relative to the Comprehensive Plan Amendment proposal regarding the potential annexation area. They are also scheduled to take action to authorize hiring a consultant to assist the City in updating its Shoreline Master Program. (The City was awarded a \$60,000 grant from the State Department of Ecology; all cities must comply by 2009). The scope of work regarding this issue will be discussed at the Commission's next meeting; more in-depth review will begin in early 2008.

The next Planning Commission meeting agenda also includes review and discussion of the draft K&S Development Agreement (the applicant may be present), discussion about the proposed Subdivision Code, further discussion on the 2007 Proposed

Comprehensive Plan Amendments, Final Design Standards for the S. 154<sup>th</sup> St. Station area, and a revised tree retention proposal.

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

Commissioner Dixon, who's term expires September 13, thanked his fellow Commissioners and staff. The Commissioners thanked Commissioner Dixon for his service. Steve Butler, on behalf of himself and his staff, also thanked Commissioner Dixon for his service and dedication.

**8. Adjournment:**

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

**PLANNING COMMISSION**  
**Minutes of September 24, 2007, Meeting**

**Members Present:** Tom Dantzler, Richard Forschler, Michael Siefkes

**Staff Present:** Steve Butler, Planning Director; 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 September 10, 2007, Meeting:**

On page three, language that states, "Commissioner Forschler suggested the City publish philosophies rather than specific standards" will be replaced with, "Commissioner Forschler expressed concern over the added cost that detailed standards could add to projects. He suggested the City should consider publishing general design philosophies rather than specific standards, with the goal of allowing more flexibility for developers." At the end of that paragraph, "Commissioner Dixon agreed with Mr. Butler" will be added.

A motion was made, seconded, and unanimously passed to approve the minutes of the September 10, 2007 meeting as amended.

**3. New Business:**

**A. Initial Discussion about Proposed Zoning Code Amendments Regarding Shared Parking Between Non-Profit Organizations**

A gentleman in the audience was given an opportunity to make comments to the Commission as follows:

Tim Wilson, 15059 32<sup>nd</sup> Place South: Mr. Wilson lives just west of Military Road across from the SeaTac fire station. He was interested in hearing the City Council's plans regarding sidewalks on his street and all SeaTac.

Mr. Wilson was advised that sidewalks are briefly addressed in the Comprehensive Plan in the Capital Facilities and Transportation Elements. Steve Butler suggested Mr. Wilson make his inquiries at a City Council meeting; he also informed Mr. Wilson the Sidewalk Advisory Committee appointed by the Council may be able to assist in answering his questions.

Jack Dodge outlined the proposed code amendments regarding offsite parking regulations developed to provide additional flexibility between nonprofit agencies as follows:

**Section 15.15.130 Off-Site Parking Location**

If the shared parking requires an expansion of the parking lot on the property receiving the additional parking, all permit requirements otherwise required for such expansion must be met (including perimeter and possibly interior landscaping requirements).

Temporary shared parking arrangements between nonprofit uses not exceeding 360 days shall meet all the following requirements:

The City Manager, or designee, may authorize a portion of the required parking for an accessory use (or for up to 30% of the primary use) to be located off-site if: (1) Adequate parking exists for the primary use on the property receiving the additional parking. For the purpose of this section, adequate parking is parking that conforms to current off-street parking requirements for the primary use on the property; (2) Adequate pedestrian, van or shuttle connection between the sites exists; (3) the sites are within one mile of each other; (4) The proposed connections between the sites are safe for pedestrians and vehicles; (5) The proposed plan is compatible with adjacent uses; and (6) Off-site impacts are negligible or minimized.

New definition of Primary Use – The primary or predominant use of any lot or parcel.

Mr. Dodge provided examples, one with three adjacent nonprofits in the vicinity of South 188<sup>th</sup> Street and 42<sup>nd</sup> Avenue South i.e. Lutheran Community Services, Angle Lake Church, and Chinook Middle School. He explained that if one of the agencies were to implement a temporary program (up to one year), and the parking needs exceeded those available on the site, an arrangement could be made with one of the adjacent agencies to receive overflow parking. The City would require a Type I Site Plan Review Permit for approval of shared parking and to monitor the one year maximum.

#### **4. Old Business:**

##### **A. Continued Discussion about Proposed Final Design Standards for the S. 154<sup>th</sup> Street Station Area**

Kate Kaehny outlined the review and adoption schedule the Commission had requested that includes an open house and public hearing scheduled for 10/22/07, Commission recommendation to the City Council on 11/5/07. City Council action is tentatively scheduled for 11/13/07.

Ms. Kaehny then reviewed the Open Space and Parking Standards sections as follows:

##### **Section 15.38.400 Open Space and Amenities**

Few substantive changes have been made; regulations have been rearranged somewhat and summarized for clarity.

- 15.38.410 Usable Open Space Area Requirements

A minimum 10% of the net site area must be set aside as usable outdoor open space accessible to the public. This requirement applies to all new commercial and mixed use development in the station area. Open space requirements for residential-only projects can be found in SMC 15.19 Design Standards for Multi-Family Housing. Required landscaping and sensitive area buffers, driveways, parking, auto uses, areas with slopes greater than 8%, and setback areas may not be included toward meeting the minimum usable open space requirement with some exceptions as approved by the Director of Planning and Community Development.

Developments have the option of contributing to the S. 154<sup>th</sup> St. Station Area Open Space Fund in lieu of setting aside additional usable open space greater than the minimum required. (This section is tentative subject to consultant recommendations regarding development incentives.)

- 15.38.420 Usable Open Space Design Standards

Street front usable open space shall be developed and arranged in a manner that is accessible to the public and placed in one or more of the following ways as approved by the Director of Planning and Community Development: (1) Plaza, courtyard, or pocket park; (2) Additional paving contiguous with sidewalk; (3) Multi-purpose green space; (4) Outdoor seating; (5) Focal point for plazas, courtyards, and pocket parks.

If additional open space is required, the remaining percentage may be installed as plantings or pedestrian-only corridors.

- 15.38.430 Open Space Maintenance

All usable open space improvements shall be maintained in good condition.

In answer to a question about how these proposed standards compare to those in other cities, Ms. Kaehny explained that, while somewhat difficult to compare, SeaTac is within the parameters of transit-oriented development standards implemented by other cities in the Puget Sound region.

Discussion was held about liability issues resulting from trees buckling pavement; Steve Butler reported that often barriers are used to force tree roots down. It may be advisable to codify such a requirement within these standards.

### **15.38.800 Parking Standards**

In cases where the minimum parking standards established under Chapter 15.15 of the Zoning Code are greater than the maximum spaces allowed in this section, then the maximum parking standards within the "Minimum and Maximum Parking Requirements" chart in Section 15.38.810 shall supercede.

Ms. Kaehny will provide the Commission with data regarding possible discrepancies in analysis. However, these proposed regulations are in line with what other cities are requiring in pedestrian/transit-oriented development areas.

The parking standards also include a provision for additional parking stalls to be allowed based on a parking plan demonstrating an increased need to serve residents and participation in the development incentive program.

- 15.38.855 Bicycle Parking

The provision of safe and convenient places to park bicycles is encouraged in the station area.

## **B. Continued Discussion about Proposed Comprehensive Plan Amendments**

Mike Scarey reviewed the Proposed Comprehensive Plan Amendments as follows:

- Map Amendment #5 – Update Map 5.1, Sewer Service Map, with current information.

Apparently, there has been a recent name change from Val-Vue Sewer District to Valley View Sewer District. Staff will confirm and make the correction.

- Map Amendment #6 – Amend Map 8.1, Wetland and Stream Classifications with current information.

Discussion was held about various aspects of wetland determinations. Jack Dodge explained that formal wetland delineations are determined by a wetlands biologist. However, based on working with wetland biologists and knowing what indicators are used (if plants such as bullrush, softrush, skunk cabbage, buttercup, etc. or wet areas are present), using aerial photos and a site visit, staff is able to informally designate a wetland. The formal procedure for designating a wetland would be for an interested party to hire the City's wetland biologist through a three party agreement with the City, or hire their own and submit the report for peer review. The majority of wetlands outlined on the map were delineated by the City, the State, or the Port of Seattle.

- Text Amendment #5 – Update 6-year Capital Facilities Plan in the Capital Facilities Background Report

Staff has completed the level of service analysis based on 2013 City population estimates, and determined the City will have adequate facilities.

## **C. Continued Discussion of Proposed Zoning Code Amendments Regarding Tree Retention**

Steve Butler reported that additional research had been completed, and the proposal presented tonight is essentially unchanged; the section on landmark trees has been removed. The proposed amendments would not apply to the majority of single family properties within the City (a lot containing a house not large enough to short plat); however, the standards would apply to vacant or large residential lots that could be divided (at least 14,400 square feet).

The proposed amendments will be presented to the City Council at their September 25 meeting for input and direction, likely followed by a Planning Commission public hearing and formal recommendation to the Council.

Commissioner Forschler stated that he had attended a Land Use & Parks Committee meeting where he voiced concerns about liability issues, citing that over a three year period, Seattle had paid \$500,000 in claims to 67 people who tripped on sidewalks broken by tree roots, despite a regulation holding property owners responsible for maintaining adjacent sidewalks. Further, he corresponded with Senior Assistant City Attorney Mark Johnsen via email who agreed that the liability of a broken sidewalk was a concern.

Steve Butler stated that it may be appropriate to have Mr. Johnsen attend a Commission meeting to address these concerns.

Discussion was held about the proposed amendments requiring all healthy significant perimeter trees to be retained, specifically that they may interfere with utilities and impacting sidewalks. Jack Dodge explained that current tree retention regulations allow trees in utility corridors to be removed. It was suggested that this language (regarding utilities) be added to the proposed amendments.

#### **D. Final Discussion about Issues to be Discussed at Joint City Council/Planning Commission Meeting**

Steve Butler reiterated that the meeting was scheduled from 5:00 – 5:45 p.m. and the time constraint may not allow for in-depth discussion of all the agenda items.

Discussion was held, and priority discussion items include the Planning Commission's role in reviewing development agreements, and the Council clearly defining parameters for Planning Commission review of land use issues.

A five-member versus seven-member Commission was discussed. It was suggested that an alternate be appointed to step in as needed.

#### **5. Detailed Commission Liaison's Report:**

None.

#### **6. Planning Director's Report:**

Steve Butler announced that the City would be receiving the Governor's Smart Communities award for the two light rail station area action plans. The Commissioners were provided with the draft proposed development agreement between the City and K&S Development. A presentation from the applicant is tentatively scheduled for the next meeting. Additional issues coming before the Commission at future meetings include wetland violations, the final Subdivision code,

Final Standards for the S. 154<sup>th</sup> Street Station Area, and further review and discussion on the 2007 Proposed Comprehensive Plan Amendments.

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

A gentleman in the audience was invited to make comments to the Commission as follows:

Earl Gipson, 17050 51<sup>st</sup> Avenue South: Mr. Gipson stated he would also submit his concerns in writing. His comments tonight include: How wetlands are delineated, how affected property owners would be informed of wetlands moving over time or a classification change, how wetland encroachment violations are handled (a wetland near his property was recently filled), and his views on tree retention.

When Mr. Gipson purchased his property it contained a Class 3 stream. Apparently, in 1999 the stream was filled in and the classification changed to drainage which allows adjacent properties to be subdivided; he believes the City is trespassing by placing drainage and surface water over properties because they are no longer protected. The issue will be discussed at the next Transportation & Public Works meeting.

Mr. Gipson stated that he understands that property owners should be able to clear trees in certain instances, but not when it negatively impacts neighboring properties, particularly how water flows. He also expressed concern about property owners clearing all the trees from properties just before submitted a short plat application to circumvent the tree retention plan requirement. He believes a compromise is needed, and suggested the City consider two significant tree definitions, one for lots of 14,400 square feet or more and one for smaller single family lots.

**8. Adjournment:**

The meeting was adjourned at 7:00 p.m.

**PLANNING COMMISSION**  
**Minutes of October 8, 2007, Meeting**

**Members Present:** Rick Lucas, Tom Dantzler, Richard Forschler

**Staff Present:** Steve Butler, Planning Director; Jack Dodge, Principal Planner;  
Mike Scarey, Senior Planner; Kate Kaehny, Associate Planner;  
Mark Johnsen, Senior Assistant City Attorney

**1. Call to Order:**

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

**2. Approve Minutes of September 24, 2007 Meeting:**

A motion was made, seconded, and unanimously passed to approve the minutes of the September 24, 2007 meeting as presented.

**3. New Business:**

**A. Presentation and Discussion about the Proposed Draft Development Agreement Between the City of SeaTac and K&S Investments LLC**

Mark Johnsen reported that the City has been negotiating a Development Agreement with K&S Development over the past 15 months; terms are now in the process of being finalized. Tonight's presentation will be provided at the October 9 City Council meeting, with a public hearing and Council action tentatively scheduled for November 6.

When the City was developing the Interim Standards for the South 154<sup>th</sup> Street Station Area, concern was raised by K&S Development who owns three parcels within that area, about constructing a Starbuck's on the corner of South 154<sup>th</sup> Street & International Boulevard with a drive-through, possible construction of a parking structure, and Sound Transit intersection improvements at South 154<sup>th</sup> Street & International Boulevard.

The Interim Standards ultimately included a provision allowing for the drive-through Starbuck's; however, park and fly structures were prohibited within the station area, which precipitated K&S applying for a Development Agreement.

K&S is requesting they be allowed to construct a new parking structure on the western portion of the property (garage parcel) that could be a garage only, a combination garage and residential structure, or a residential structure, without benefit of specific site plans, rather being permitting to develop at their discretion within an "envelope".

Public benefit accruing to the City is that K&S will invest additional resources into their property to serve as a catalyst for further station area development, construct a parking structure that may be used for station area parking in the future, construct a Starbucks at the corner of South 154<sup>th</sup> Street & International Boulevard, and provide internal circulation through the garage parcel to facilitate better traffic management through the station area.

K&S and the City will cooperate to persuade WSDOT to make changes to the SR518 off-ramp; K&S will cooperate to construct two-way access between the new structure and the existing retail center connecting South 152<sup>nd</sup> and South 154<sup>th</sup> Streets (including road/sidewalk width and setback requirements). This access may be eliminated if the developer constructs a mixed use structure incorporating both the retail center and garage parcels.

The following uses would be allowed pursuant to the Development Agreement:

- Construction of structures to support any uses allowed in the Interim Development Regulations for the 154<sup>th</sup> Station Area.
- Construction of a new parking garage on the garage parcel limited to nine stories in height, 1,200 parking stalls, specific design requirements associated with the façade (look like a hotel or office), conform to the criteria of the Interim Development Regulations, and allowed retail on the south side only. (Maximum parking stall requirements contained in the Interim Development Regulations for the 154<sup>th</sup> Station Area would not apply.) A car rental agency office and commercial park and fly would be allowed on the garage parcel only.
- Any current uses of the retail center, including a casino, will be allowed on both the retail center parcel and the garage parcel. Future proposed development on either parcel is subject to the Interim Development Regulations for the 154<sup>th</sup> Station Area unless otherwise outlined in the Development Agreement.
- Any mixed use structures will be limited to either sixteen stories or the FAA height limit, whichever is less.
- No restrictions on residential density in any structure.

Compliance with the proposed Development Agreement constitutes mitigation under SEPA for redevelopment of the garage parcel and construction of Starbucks (provided that the garage parcel is redeveloped as a parking garage, a medium/high density residential development consistent with the Interim Development Regulations for the 154<sup>th</sup> Station Area, or a combination of the two projects).

Still to be resolved include clarification of the parameters within which the Development Agreement and/or SEPA mitigation requirements and/or Interim Development Standards for the 154<sup>th</sup> Station Area would apply to portions of or the

entire site (particularly for future development if the site concept changes), density requirements on a residential only development, and integrating two-dimensional site access/layout elements with Sound Transit's work at South 154<sup>th</sup> Street & International Boulevard.

Discussion was held about allowing development of the property to its highest and best use, and how that could be accomplished; the marketplace dictating how K&S will ultimately develop the property; the City and K&S actually being very close to finalizing the Development Agreement; traffic mitigation fees; the City "sunsetting" park and fly in the South 154<sup>th</sup> Street area, whether or not it is economically advisable, and encouraging park and fly in locations outside of transit/pedestrian-oriented areas; one-way streets to allow for full sidewalk widths to better accommodate pedestrians; the City meeting with Tukwila to coordinate with their future development plans across International Boulevard; addressing pedestrian traffic across International Boulevard at South 154<sup>th</sup> Street to ensure their safety; and impacts to developers being required to provide roads through their private property.

#### **B. Initial Discussion about Proposed Zoning Code Amendments Regarding Minor Conditional Use Permit (CUP) Requirements**

Jack Dodge presented a PowerPoint outlining the details of the proposed amendments that were developed to accommodate small religious groups and nonprofit organizations who use school or park facilities for services and programs. Under current regulations, these organizations would be subject to a Major Conditional Use Permit which includes a \$4,000 filing fee and Hearing Examiner approval. The proposed regulations would allow churches/religious facilities, specialized instruction schools, sports clubs, preschool, etc. either as a permitted use or subject to a Minor Conditional Use Permit (\$2,000 fee and administratively approved) in residential and Park zones subject to specific criteria.

Discussion was held about requiring these organizations to submit an emergency plan to either police or fire (in light of past tragic shootings). Mark Johnsen stated that the City's police and fire departments work diligently with the community to ensure safety; liability would not be an issue. Further, it would be difficult to monitor these functions since most occur after hours.

This issue is tentatively scheduled for a public hearing before the Commission on November 5.

#### **4. Old Business:**

## **A. Continued Discussion about Proposed final Design Standards for the S. 154<sup>th</sup> Street Station Area**

Kate Kaehny began by providing answers to questions that came up at the last meeting as follows: (1) What do we have in place to make sure trees don't damage sidewalks? This issue is addressed through review of landscape plans and meetings between staff, the applicant, and appropriate professionals regarding appropriate plantings in appropriate locations. (2) Where are maximum parking standards less than minimum parking standards? Typically hotels/motels, restaurants, senior housing, and college dormitories in proximity to transit centers.

Tonight's presentation will focus on Ground Floor Use Requirements in the CB-C and UH-UCR Zones, Circulation, Mixed-Use Development Standards, and Multi-Family Development Standards.

### **15.38.107 Ground Floor Use Requirements in the CB-C and UH-UCR Zones**

- Except for areas south of S. 154<sup>th</sup> St., at least 60% of the length of the exterior ground floor facing the streets shall be a pedestrian-oriented retail, office, or public community facility use.
- The leasable ground floor area shall extend in depth a minimum of 30' from the exterior building façade.
- The clear interior ceiling height shall be a minimum 10'.

### **15.38.200 Circulation**

- Development shall provide internal access roads per the following: (1) A north-south street from S. 154<sup>th</sup> St. on the south connecting to S. 152<sup>nd</sup> St. on the north. (2) An east-west street from 32<sup>nd</sup> Ave. S. on the west to International Boulevard on the east.

Discussion was held about how these regulations relate to the Development Agreement previously discussed.

### **15.38.600 Mixed Use Development Standards**

Minor revisions were made for clarification. Ground floor requirements are consistent with those outlined in 15.38.107.

### **15.38.700 Multi-Family Development Standards**

Minor revisions were made for clarification and consistency, particularly relative to Zoning Code Chapter 15.19 (Design Standards for Multi-Family Housing) and Chapter 15.35 (City Center Standards).

## **B. Continued Discussion about Proposed Comprehensive Plan Amendments**

### **Map Amendment #3 – Potential Annexation Area**

Mike Scarey presented maps pertaining to this amendment proposal that include King County Zoning of the area, Existing Land Use, and a 1996 aerial photograph. He also provided data regarding City versus annexation area relative to population, households, square miles, and assessed valuation.

Discussion was held about what portion of the potential annexation area properties were still served by septic systems. It was determined that Valley View Sewer District would be the appropriate resource to provide that information. Further, it would not be the City's responsibility to provide public sewer (SeaTac does not operate its own utilities).

### **Map 3.1 – Existing and Proposed Roadway System**

This map was revised to reflect current information.

### **Capital Facilities Background Report**

Portions of the Sources and Uses of Funds tables were presented that outline capital projects the City is planning, project costs, and sources of funds. For the types of projects included, the City has a fully funded capital facilities plan.

## **C. Follow-Up Discussion about Issues Raised at the Joint City Council/Planning Commission Meeting on September 25, 2007 (*Including Procedures for Planning Commission Development Agreement Review and Preparation of Planning Commission Agendas*)**

This item was tabled until the next meeting.

### **5. Detailed Commission Liaison's Report:**

None.

### **6. Planning Director's Report:**

Steve Butler reported that a Land Use & Parks Committee meeting was scheduled for Thursday, October 11; however, the meeting date may be changed. The October 9 City Council meeting agenda includes a presentation on the proposed K&S Development Agreement and the South 154<sup>th</sup> Street Station Area Design Standards.

Discussion was held about possible meeting dates at which the Commission could be provided with a presentation about town center developments within the Puget Sound Region.

An open house has been scheduled for October 22 from 5:00 to 6:00 p.m. prior to the Planning Commission meeting at which a public hearing will be conducted on the Final Design Standards for the South 154<sup>th</sup> Street Station Area.

An open house has also been scheduled for November 5 from 5:00 to 6:00 p.m. prior to the Planning Commission meeting at which a public hearing will be conducted on the 2007 Proposed Comprehensive Plan Amendments. (The second meeting in November will be held on November 19.)

It was agreed that a joint meeting with a neighboring Planning Commission would be tentatively scheduled for early 2008. SeaTac has many topics of mutual interest with both Burien and Tukwila.

Steve Butler advised that the State has a program of short courses for Planning Commissions, and if any Commissioners were interested, training could be scheduled in early 2008.

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

Commissioner Lucas stated he had received input from Councilmembers that future joint meetings could be held twice a year and be two hours in length.

**8. Adjournment:**

The meeting was adjourned at 8:15 p.m.

**PLANNING COMMISSION**  
**Minutes of October 22, 2007 Meeting**

**Members Present:** Tom Dantzler, Richard Forschler, Michael Siefkes

**Staff Present:** Steve Butler, Planning Director; Jack Dodge, Principal Planner;  
Mike Scarey, Senior Planner; Kate Kaehny, Associate Planner

**1. Call to Order:**

The meeting was called to order at 6:00 p.m.

**2. Approve Minutes of October 8, 2007, Meeting:**

A motion was made and seconded to approve the minutes of the October 8, 2007 meeting as presented. The vote was two in favor and one abstention.

**3. Public Hearing:**

**A. Staff Presentation on Final Design Standards for the S. 154<sup>th</sup> Street Station Area, and Related Code Amendments**

Kate Kaehny stated that staff is recommending tonight's public hearing be continued to November 5, with a Planning Commission recommendation to the City Council on November 5 or November 19. City Council action is tentatively scheduled for November 27.

**SMC Title 11**

Street section illustrations (including sidewalks, planting strips, bike lanes, parking, and travel lanes) within the station area for the following streets, currently shown in the interim standards, will be identified in SMC Title 11 which is administered by Public Works, rather than shown in the final standards.

- S. 154<sup>th</sup> St. west of 32<sup>nd</sup> Ave. S.
- Military Road South from approximately S. 152<sup>nd</sup> to S. 150<sup>th</sup> Streets
- S. 152<sup>nd</sup> St. east of 32<sup>nd</sup> Ave. S.
- 32<sup>nd</sup> Ave. S.

**Section 15.38.200 Circulation**

Two new internal access roads will be created as follows: (1) A north-south street connecting S. 154<sup>th</sup> and S. 152<sup>nd</sup> Streets. (2) An east-west street connecting 32<sup>nd</sup> Ave. S. with International Boulevard (see Figure 15.38.205).

**Section 15.38.105 Selected Prohibited Uses**

Revised language proposes to prohibit drive-through facilities except with Conditional Use Permit. (Prohibition on commercial park and fly will continue.)

### **Section 15.38.107 Ground Floor Use Requirements**

Revised language proposes new requirements for either 75% or 60%\* ground floor pedestrian-oriented use (retail, office or community facility) on some streets as identified in Figure 15.38.107.

\* 60% in Community Business in the Urban Center (CB-C) and Urban High Density in the Urban Center (UH-UCR) Zones.

### **Section 15.38.600 Mixed Use Development Standards**

Revised language proposes changes to integrate requirements for either 75% or 60% ground floor pedestrian-oriented use on some streets as outlined in Figure 15.38.107.

### **Section 15.38.945 Ground Floor Uses in Parking Structures**

Revised language proposes changes to integrate requirements for either 75% or 60% ground floor pedestrian-oriented use on some streets.

### **15.38.300 Site Planning and Building Orientation**

Staff is recommending adjustments to front yard setback requirements, and a minimum building height of two stories or one story at a minimum of 18'.

### **15.38.400 Open Space and Amenities**

This section was reorganized and clarified. For commercial projects or projects with commercial uses on the ground floor, 10% of the net site area must be provided as publicly accessible open space i.e. plazas or pocket parks. Publicly accessible open space requirements do not apply to residential-only projects; however, private open space for residents is required.

### **15.38.500 Building Design**

Minor adjustments were made to various façade requirements.

### **15.38.700 Multi-Family Development Standards**

Minor changes were made to outline and clarify standards that apply within the S. 154<sup>th</sup> St. Station Area.

## **B. Public Hearing on Final Design Standards for the S. 154<sup>th</sup> Street Station Area, and related Code Amendments**

The Chair opened the public hearing at 6:17 p.m.

Jose Lopez, 152<sup>nd</sup> & Military: Mr. Lopez asked for a clarification regarding the construction of apartments or condominiums along the north side of S. 152<sup>nd</sup> St.

Mike Scarey explained the station area plan envisions that area as transitioning to multifamily (UM2400). The City is not purchasing properties, nor constructing new buildings, but may change the zoning. Developers may approach property owners about selling and convert the property to multifamily residential (apartments or condominiums), but it is entirely up to the property owners whether or not they chose to do so.

Hearing no further requests to speak, the Chair continued the public hearing to November 5 at 6:00 p.m.

#### **4. New Business:**

##### **A. Presentation about "Town Center" Projects in the Pacific Northwest – by Nora Schultz, SeaTac Lighting & Controls**

Nora Schultz, SeaTac Lighting & Controls, works as a lighting manufacturer's representative and tracks town center development in cities as they redirect growth to achieve compliance with the Growth Management Act. The most important components of Transit-Oriented Development (TOD) is pedestrian orientation, green focus, and mixed use. Ms. Schultz provided a PowerPoint presentation and identified cities with town center developments either completed or in process as follows:

- Mercer Island Town Center - The project is off Island Crest Way, and nearly complete. It includes mixed use residential with a retail pod-style phase-in scenario.
- Burien Town Square – The City is anticipating construction of a hotel and conference center, a residential/retail mix, a library and city hall.
- Mill Creek Town Center – This project is unique in that its layout is long and linear as opposed to the usual square orientation of town centers.
- Juanita Village – Town center with Starbuck's.
- Lakewood Town Center – The City demolished the Lakewood Mall and constructed a new street from the main area of the City to the mall site. City Hall and municipal court were relocated to the site, along with a movie theater, and retail.

- University Place – Includes retail, office, hotel, library, and city hall. They are also promoting a university in University Place with extension classes. The grand opening is planned for summer, 2009.
- Lacy – Gateway Town Center – An enormous twenty-year project that will include two million square feet of retail, one million square feet of office space and 7,000 residential uses anchored by a Cabela's store.
- Kent – Kent Station development includes a transit/light rail station, restaurants, movie theater, and retail. Additional residential development and an extension campus is also planned. Kent Station is about three blocks from the original downtown.
- Renton – The Landing – This project includes towers with 900 residential apartments, retail, and a movie theater. The Landing is about one mile from the original downtown.
- Bellevue – They are branding streets to implement wayfinding, a retail friendly atmosphere through connecting old downtown with new downtown, lighting, landscaping, and signage.
- Sammamish – This project is in the design phase and will include mixed use accomplished through zoning changes.
- Kenmore - Kenmore Village will revitalize downtown and reconnect with their waterfront.
- Federal Way – Symphony - This project focuses on transit oriented design with pedestrian passage between South 320<sup>th</sup> St. and the new transit station. It also includes three 22 story and one 15 story towers that will house condominiums, apartments, townhomes, retail, office space, possibly a college extension campus, and a daycare. Completion is scheduled for winter, 2009.

## **5. Old Business:**

### **A. Continued Discussion about Proposed Comprehensive Plan Amendments**

Mike Scarey advised that all the proposed 2007 Comprehensive Plan Amendments had been reviewed by the Commission except the Capital Facilities Sources and Uses tables for Fire Services and Transportation which he briefly explained. Also included was an updated Existing and Proposed Roadway System map, and a summary of costs and financing for all capital projects outlining that expenditures match revenues as required by the Growth Management Act.

**B. Continued Discussion about Minor Conditional Use Permit (CUP) Amendments**

Jack Dodge explained that the proposed minor code amendments would allow churches, specialized instruction schools, preschools, nonprofit organizations, etc. to be located in existing churches, schools, and city facilities within residential and park zones either through a Minor Conditional Use Permit (CUP), or permitted outright through a Type 1 Site Plan Review Permit subject to size criteria. He indicated that currently, these uses need to apply for a Major Conditional Use Permit (CUP) to locate in these zones. The revisions would relieve the smaller groups from the Major Conditional Use Permit process which includes a \$4,000 filing fee and a hearing before the City's Hearing Examiner.

Discussion was held about permit fees offsetting City costs; how the City's fees compare with those of other jurisdictions; schools and churches typically being allowed in single family zoning designations; organization impacts on the neighborhood; and blanket permits that would allow, for example, a Boy Scout Troop to meet in a church without getting a separate permit.

This issue is tentatively scheduled for a public hearing before the Commission at their November 5 meeting.

**C. Follow-Up Discussion about Issues Raised at the Joint City Council/Planning Commission Meeting on September 25, 2007 (*Including Procedures for Planning Commission Development Agreement Review and Preparation of Planning Commission Agendas*)**

This item was tabled until the next meeting.

**6. Detailed Commission Liaison's Report:**

None.

**7. Planning Director's Report:**

Steve Butler distributed a draft Planning Commission work schedule for the remainder of 2007, and advised that four public hearings were scheduled for the November 5 meeting. An open house on the 2007 Proposed Comprehensive Plan Amendments is scheduled from 5:00 to 6:00 p.m. with the Planning Commission meeting beginning at 6:00. Discussion will also be held about a proposed amendment to the City/Port ILA regarding truck haul routes and the Port's proposed rental car facility, potential rezoning options for the South 154<sup>th</sup> Street Station Area proposed public outreach program, and the proposed Subdivision Code.

The October 23 City Council agenda includes a presentation on the 2007 Proposed Comprehensive Plan Amendments.

A Land Use & Parks Committee meeting is scheduled for Thursday, November 8.

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

None.

**9. Adjournment:**

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

**PLANNING COMMISSION**  
**Minutes of November 5, 2007, Meeting**

**Members Present:** Rick Lucas, Tom Dantzler, Richard Forschler, Roxie Chapin

**Staff Present:** Steve Butler, Planning Director; Jack Dodge, Principal Planner; Mike Scarey, Senior Planner; Kate Kaehny, Associate Planner; Tina Rogers, Assistant City Manager

**1. Call to Order:**

The meeting was called to order at 6:00 p.m.

**2. Approve Minutes of October 22, 2007 Meeting:**

On page four, "Cabela's" was spelled incorrectly. A motion was made, seconded, and unanimously passed to approve the minutes of the October 22, 2007 meeting as corrected.

**3. Public Hearings:**

**A. Staff Presentation on Final Design Standards for the S. 154<sup>th</sup> Street Station Area**

Mike Scarey advised that the section on Development Incentives would be presented for review and discussion at a later date to allow staff to complete their review and get input from affected property and business owners. In response to a question from Commissioner Dantzler, Mr. Scarey explained that the City Center Standards include incentives based on allowing additional park and fly spaces in exchange for public benefit the developer would provide. Further, most cities allow additional height or floor area in exchange for public benefit. Park and fly is not allowed within the South 154<sup>th</sup> Street Station area, and there is currently no height limit along International Boulevard in the Community Business (CB) Zone which complicates developing development incentives for this area.

Commissioner Lucas suggested that the incentives be developed in such a way to allow implementation on other parts of the City, and not just in the station area.

Kate Kaehny highlighted the minor changes that were made since the Commission last reviewed the Standards as follows:

- 15.38.580 Upper Level Step Back

New language was added to provide "stepping back" or terracing requirements for taller buildings.

- 15.38.105 Selected Prohibited Uses

Drive-through facilities have been prohibited outright.

### **B. Public Hearing (Continued from October 22) and Possible Recommendation to City Council about Final Design Standards for the S. 154<sup>th</sup> Street Station Area, and Related Code Amendments**

The Chair opened the public hearing at 7:12 p.m.

Hearing no requests to speak, the Chair closed the public hearing at 7:13 p.m.

A motion was made and seconded to recommend the City Council adopt the Final Standards for the South 154<sup>th</sup> Street Station Area and Related Code Amendments as presented. The motion carried, three in favor, one abstention.

### **C. Staff Presentation on 2007 Final Docket of Proposed Comprehensive Plan Amendments**

Mike Scarey reported that the Final Docket was established by the City Council on July 24, 2007. The Planning Commission will make their proposed amendment adoption recommendations to the City Council either following tonight's public hearing or at their November 19 meeting; Council action is currently scheduled for November 27. He then summarized the proposed 2007 amendments as follows:

#### **MAP AMENDMENTS**

- Map Amendment #1 – Apply Comprehensive Plan designation of low density residential to three properties located on the east side of Military Road near Angle Lake.
- Map Amendment #2 – Apply Comprehensive Plan designations to rights-of-way. Staff is recommending withdrawal of this amendment; the issue would be more appropriately addressed through amendments to the Municipal Code.
- Map Amendment #3 – Adopt a Potential Annexation Area (PAA) for a designated portion of the unincorporated North Highline area.
- Map Amendment #4 – Amend Map A4.4 (Capital Facilities Element) and Map 3.1 (Transportation Element), Existing and Proposed Roadway System, with current information.

- Map Amendment #5 – Update Map 5.1, Sewer Service Map, with current information.
- Map Amendment #6 – Amend Map 8.1, Wetland and Stream Classifications, with current information.

## **TEXT AMENDMENTS**

- Text Amendment #1, Land Use Element – Incorporate relevant Buildable Lands information.
- Text Amendment #2, Land Use Element – Update Future Land Use Designations in the background report to include more detailed information about the relationship between the Comprehensive Plan map and the Zoning map.
- Text Amendment #3, Land Use & Housing and Neighborhood Elements – Update "mobile/manufactured home" terminology to address mobile homes, rather than mobile/manufactured homes.
- Text Amendment #4, Transportation Element – Update to reference the Commute Trip Reduction (CTR) Plan.
- Text Amendment #5, Capital Facilities Element – Update 6-year Capital Facilities Plan in Capital Facilities Background Report.
- Text Amendment #6, Utilities Element – Revise demand table for Water District 125 in Utilities Background Report.
- Text Amendment #7, Community Image Element – Update terminology in Policies 6.2C, 6.2D, 6.2E, 6.2F "Relationship to Future Transit" section to clarify language related to stations and station areas.

## **D. Public Hearing on 2007 Final Docket of Proposed Comprehensive Plan Amendments**

The Chair opened the public hearing at 6:12 p.m.

Jean Carmona, 2465 South 116<sup>th</sup> Way, Seattle: Ms. Carmona requested additional information about the City's plans for the potential annexation area, why the City has now decided to explore annexing the area, and how the annexation would benefit the City as well as her and her neighbors. Both Seattle and Burien have presented the pros and cons of annexing into their respective cities to an informed group of citizens, and the same information should be provided by SeaTac. At this point Ms. Carmona prefers annexing into Seattle, but she is interested in SeaTac as an option.

Steve Butler explained that a final determination has not yet been made whether or not the City will adopt the potential annexation area. Staff will assemble some basic information for the residents before a final decision is made by the City Council, currently scheduled for November 27.

Clara Henson, 12414 Military Road South, Seattle: Ms. Henson has been part of the community for 23 years, served as secretary for the Boulevard Park Community Council, and is currently president of the Boulevard Park Community Study Group. She was surprised to learn of the City's action at this time, considering the process of studying annexation into Seattle or Burien is well under way. However, having a third option is a positive. Ms. Henson is part of a strong group of residents working for annexation into Seattle, they do not consider Burien an option. She further stated that a majority of North Highline residents who have been polled don't want the area divided among different cities. SeaTac will be working with two very strong, vocal groups, one in favor of annexing into Seattle and one in favor of annexing into Burien. Both groups believe SeaTac is causing a disruption in the annexation process, and that annexing into SeaTac may result in them being more fodder for the airport. She requested information about why SeaTac is considering annexing the area and what SeaTac is going to do for the residents; SeaTac should not move forward until these questions have been answered. Ms. Henson expressed her appreciation at having the opportunity to speak before the Commission.

Ray Helms, 12208 20<sup>th</sup> Avenue South: Mr. Helms serves as an elected councilmember for the North Highline Unincorporated Area which has recommended annexing into Burien. He now understands from talking to residents that SeaTac is a welcome third option. Police services and school district boundaries would not change. He believes that Seattle wants the area so the mayor can make good on a campaign promise to set up low income housing. Mr. Helms supports the option of designating the small area as a potential annexation area and hopes the City adopts it.

Ivana Halvorsen, 12017 24<sup>th</sup> Avenue South: Ms. Halvorsen asked if the potential annexation area were adopted, what would precipitate actual annexation of the area? She also inquired as to how the boundaries of SeaTac's PAA were arrived at. She appreciates SeaTac as a third option, she was in favor of annexing into Seattle rather than Burien.

Steve Butler advised there were several options to accomplish annexation, but the final decision will be made by the residents. If the potential annexation area is adopted, then SeaTac will explore the various options with input from affected residents. Further, the PAA boundaries were established by the City Council.

Commissioner Lucas stated that he believed the boundaries should be moved north to include the two golf courses. Ms. Halvorsen agreed the golf courses should definitely be included.

Al Ramey, 12611 20<sup>th</sup> Avenue South, Seattle: Mr. Ramey has been a Highline area resident for 54 years. He stated that he and his neighbors along 20<sup>th</sup> Avenue would be 99% in favor of SeaTac's proposal. He is very much against annexing into Seattle, and believes a majority of residents in the area would come forward and concur if necessary.

Clara Henson: Ms. Henson stated that her priority was for the community to be educated so they could make an informed decision. To that end, she held PowerPoint presentations at various community meetings, she offered those materials to the Commission and the public. She requested the City define benefits to the residents, and reconsider moving the boundary north to include the golf courses.

Mike Scarey advised that the City hired a consultant to conduct a fiscal study. The preliminary draft report indicates the annual operating cost of annexing the currently identified area would be \$900,000 to \$1.2 million annually. The figures include tax revenue and any State monies coming to the City based on the additional residents, estimated to be approximately 3,000. These income figures balanced against the costs of providing infrastructure and police/fire services doesn't indicate a financial benefit to the City, however it is SeaTac's last opportunity to expand its boundaries.

Kenneth Nelson, 2612 South 122<sup>nd</sup> Street: Mr. Nelson has lived in the area for two years and was disappointed that the only choices for annexation were Seattle and Burien. He is against annexing into Seattle, and supports SeaTac's proposal. He reiterated that the residents need additional information to make an educated decision.

Kathy McMurchy, 2316 South 118<sup>th</sup> Street, Seattle: Ms. McMurchy pointed out it appears that the current northern boundary of the PAA is the same as the original northern boundary when SeaTac was working on incorporation (it was ultimately changed).

Walter McGregor, 12628 South 128<sup>th</sup> Street, SeaTac: Mr. McGregor had some questions about why he received notification from the City and whether or not any of the proposed amendments directly affected his property. It was determined that his questions were about wetlands and he was referred to Jack Dodge, who was in attendance, who could answer his questions.

Hearing no further requests to speak, the Chair closed the public hearing at 7:04 p.m.

A motion was made and seconded to recommend that the City Council adopt all the 2007 Proposed Comprehensive Plan Amendments as presented with the exception of Map Amendment #3. The motion carried, three in favor, one abstention. The Commission agreed to defer their recommendation of Map Amendment #3 to allow further deliberation at their next meeting on November 19.

Further discussion was held about Map Amendment #3 as follows: (1) The Commission have access to the results of the study currently underway; (2) The study

area be enlarged to determine the advantages and disadvantages of annexing the larger area the Commission had previously recommended (west of 509 north to include the golf courses); (3) Testimony at the public hearing appears to indicate the residents are in favor of annexing as a whole; however, if that is not an option, the larger area as previously recommended by the Commission; (4) Whether or not the Boundary Review Board had authority to move proposed boundaries; (5) It appears that the potential annexation area as currently identified would bring no fiscal benefits to the City, but adding the golf courses and surrounding area into the boundaries may serve to balance possible losses.

**E. Staff Presentation on Proposed Zoning Code Amendments**

The Commission agreed that a presentation was not necessary.

**F. Public Hearing and Recommendation to City Council about Proposed Zoning Code Amendments Regarding Minor CUP Requirements**

The Chair opened the public hearing at 7:50 p.m.

Hearing no requests to speak, the Chair closed the public hearing at 7:51 p.m.

A motion was made and seconded to recommend that the City Council adopt the Proposed Zoning Code Amendments Regarding Minor CUP Requirements as presented. The motion carried, three in favor, one abstention.

**G. Public Hearing and Recommendation to City Council about Proposed Zoning Code Amendments Regarding Shared Parking Between Non-Profit Organizations**

The Chair opened the public hearing at 7:51 p.m.

Hearing no requests to speak, the Chair closed the public hearing at 7:52 p.m.

A motion was made and seconded to recommend that the City Council adopt the Proposed Zoning Code Amendments Regarding Shared Parking Between Non-Profit Organizations as presented. The motion carried, three in favor, one abstention.

**4. New Business:**

**A. Presentation and Discussion about Proposed City of SeaTac/Port of Seattle ILA Amendments Related to Truck Haul Routes and the Port's Rental Car Facility Project**

Tina Rogers advised that, at their November 6 meeting, the City Council would be considering an amendment to the City of SeaTac/Port of Seattle 2005 Interlocal Agreement (ILA-2) proposing a limited exception to haul route restrictions to permit efficient construction of the Port's rental car facility.

The following maximum number of one-way trips\* per hour would be valid Monday through Saturday\*\* until July 1, 2012:

6:00 a.m. – 5:30 p.m.

SR99 north of 160<sup>th</sup> St. (41)  
S. 160<sup>th</sup> St. west of SR99 (41)  
S. 154<sup>th</sup> St. west of SR99 (14)

5:30 p.m. – 6:00 a.m.

SR99 north of S. 160<sup>th</sup> St. (6)  
S. 160<sup>th</sup> St. west of SR99 (6)  
S. 154<sup>th</sup> St. west of SR99 (6)

\*These are directional trips, meaning 41 trips northbound and 41 trips southbound on SR99 in an hour, or just under one trip per minute in each direction.

\*\*The normal construction schedule would be Monday through Friday, Saturday would be used in case of weather-related delays.

Four access points would be constructed:

- North Access – Serve as the primary access, located on International Boulevard just south of SR 518. The existing signal will be revised or a temporary signal installed, and wheel wash facilities will be provided.
- South Access – Limited use, located just north of South 160<sup>th</sup> Street on International Boulevard.
- West Access – Limited use, located on South 160<sup>th</sup> Street near SR 509.
- East access – Serve as the second major access point, located on South 160<sup>th</sup> Street near International Boulevard. Wheel wash facilities will be provided.

The haul activity anticipated for the project includes major site excavation in 2008 with 46 truck trips per hour (50% entering/50% exiting), major concrete placement scheduled for 2008 through 2010 with 24 truck trips per hour (50% entering/50% exiting), and miscellaneous construction deliveries at 12 truck trips per hour (50% entering/50% exiting).

In exchange for the City allowing an increase in the maximum number of one-way trips per hour, the Port agrees to coordinate with the City to pursue approval from

Washington State Department of Transportation (WSDOT) for the creation of a new northbound to southbound U-turn at the intersection of International Boulevard and eastbound SR518. If approved, the Port agrees to construct the improvement and remove the existing U-turn located south of this intersection.

If the City Council approves the ILA amendment, and the Port determines the rental car facility project will go forward, the City would then issue a haul route permit. Permit conditions would include submitting a monthly truck log with date/time of truck trip and identification of truck routes. Further, a City Public Works inspector would randomly visit the site to ensure compliance. The City has the authority to amend the permit if adjustments are deemed necessary.

Discussion was held about whether or not the Port would provide flaggers to direct the trucks on and off International Boulevard; potential stacking of trucks at signalized intersections, thereby backing up normal traffic; potential impacts of simultaneous construction projects; the Port routing the trucks onto Port-owned roadways, constructing temporary side roads, or possibly using South 170<sup>th</sup> Street to limit or eliminate truck traffic on City streets.

Ms. Rogers will report to the City Council that the Planning Commission has concerns about congestion impacts to City streets and businesses and recommends the Port use alternate routes (Port-owned roads or construct temporary roads) as much as possible to limit or eliminate traffic on City streets, and that Public Works maintain the authority to impose additional conditions on the haul route permit if necessary.

#### **B. Discussion about Potential Rezoning Options for the S. 154<sup>th</sup> Street Station Area and Proposed Public Outreach Meeting(s)**

Mike Scarey presented a map of rezoning options for the S. 154<sup>th</sup> Street Station area that would allow designated properties to be rezoned to a higher density. The referenced "potential zones" were adopted as part of the 2006 Comprehensive Plan Amendments.

The Land Use & Parks Committee directed that staff present various rezoning options to the community (in early 2008) for their input.

### **5. Old Business:**

#### **A. Follow-Up Discussion about Issues Raised at the Joint City Council/Planning Commission Meeting on September 25, 2007 (Including Procedures for Planning Commission Development Agreement Review and Preparation of Planning Commission Agendas)**

This item was tabled until the next meeting.

**6. Detailed Commission Liaison's Report:**

None

**7. Planning Director's Report:**

Steve Butler advised that the next Planning Commission meeting was scheduled for November 19. The Land Use & Parks Committee is scheduled to meet on Thursday, November 8 at 4:30 p.m.

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

None.

**9. Adjournment:**

The meeting was adjourned at 8:15 p.m.

**PLANNING COMMISSION**  
**Minutes of November 19, 2007, Meeting**

**Members Present:** Rick Lucas, Richard Forschler, Michael Siefkes, Roxie Chapin

**Staff Present:** Steve Butler, Planning Director; Jack Dodge, Principal Planner;  
Mike Scarey, Senior Planner

**1. Call to Order:**

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

**2. Approve Minutes of November 5, 2007, Meeting:**

A motion was made, seconded, and unanimously passed to approve the minutes of the November 5, 2007 meeting with minor corrections.

**3. Old Business:**

**A. Continued Discussion and Recommendation to the City Council on the Proposed Comprehensive Plan Amendment Related to Adding a Potential Annexation Area (PAA) to the Comprehensive Plan**

Mike Scarey reported that Berk & Associates is currently finalizing their report on the financial impacts of annexing the proposed PAA. He reviewed financial data taken from the latest draft of the Study as follows:

**Summary of Costs and Revenues Associated with Annexation**

- This table outlines various sources of revenue the City would gain, and estimated costs associated with providing services. The figures indicate an annual deficit to the City of approximately \$1,164,000.

**Preliminary Capital Costs/Potential Funding Associated with Potential Annexation Area**

- This table outlines individual projects with specific costs and annual capital projects. The figures indicate an annual deficit to the City of approximately \$806,250.

The City's revenue stream to fund capital projects would have to be stretched to include the annexation area. On the other hand, Seattle and/or Burien may annex the area if SeaTac doesn't act quickly, and opportunities for SeaTac to expand its boundaries are very limited.

Discussion was held about the PAA causing a financial drain to the City, and whether or not potential future growth in the area would increase tax revenues; comparison of

SeaTac, Burien, and Seattle levy rates (SeaTac is the lowest); additional revenue that could be generated if the City expanded the boundaries to include the larger PAA originally recommended by the Planning Commission; public hearing testimony that revealed the citizens living in the PAA consider annexing into SeaTac a favorable option and are generally in favor of enlarging the annexation area; impacts of adopting the PAA this year versus the process of proposing adoption of an expanded PAA next year; and SeaTac "selling" the citizens of the PAA on annexing into SeaTac.

Steve Butler explained that the current issue under consideration is the Planning Commission's recommendation to the City Council regarding adoption of the PAA (original proposal) as part of the 2007 Comprehensive Plan Amendments. If the City Council chooses not to adopt the PAA, the issue is closed. If the City Council does adopt the PAA, it would likely be two to three years before residents vote on which jurisdiction they wish to annex into.

A motion was made, seconded, and unanimously passed to recommend that the City Council not adopt the Potential Annexation Area (original proposal) as part of the 2007 Comprehensive Plan Amendments, but consider adopting instead the expanded PAA originally recommended by the Planning Commission (everything north and west of SR509 excluding the South Park Bridge). The Planning Commission further recommends that if it is impossible to consider adoption of the expanded area this year (due to noticing requirements), that the City Council consider the expanded PAA as part of the 2008 Comprehensive Plan Amendment process.

## **B. Continued Discussion about the Proposed New Subdivision Code**

The City adopted the King County Subdivision Code upon incorporation and is operating under that document today. Staff has been working on a proposed Subdivision Code that would apply more directly to SeaTac for some time. It has been presented to the Planning Commission and Land Use & Parks Committee numerous times. Staff has also met with stakeholders on several occasions (who are supportive of the proposed code). Mr. Dodge reviewed the proposed Subdivision Code as follows:

- **Pedestrian Pathways:** Required in short plats for children pursuant to RCW 58.17.060 which states in part, "Cities, towns, and counties shall include in their short plat regulations and procedures pursuant to subsection (1) of this section provisions for considering sidewalks and other planning features that assure safe walking conditions for students who walk to and from school."
- **Road Cross-Sections:** Required for short plats and subdivisions consistent with RCW 58.17.060.
- **Side-by-Side Short Plats:** Requirement that up to eight lots have a common private access road, including an allowance for two short plats proposed under different timeframes.

- Binding Site Plans: This process would be allowed as an option for commercial and residential short plats and subdivisions.
- Street Trees: Required in new subdivisions.
- Recreation/Open Space: Seven percent (7%) required in new subdivisions of ten lots or more.
- Fencing: A six foot (6') high fence would be required between a new private access road and an adjacent residential structure.

### **Short Subdivision Mandatory Improvements**

#### **Three and Four Lot Short Plats**

Proposed: 20' wide easement (20' paved width, 5' pedestrian path delineated on one side of asphalt)

Current: 20' wide easement (15' paved width, 2 ½' gravel shoulders on either side)

#### **Side-by-Side Short Plats**

Proposed: 30' wide easement (22' paved width, 5' vertical curb gutter & sidewalk)

Current: No standards

#### **Stacked Short Plats up to Eight Lots**

Proposed: (1) 30' wide easement (22' paved width, 5' sidewalk on one side).

(2) Additional easement and roadway width as determined by Directors

Current: No standards

#### **Circumstances Where an Access Easement May be Reduced in Width**

Proposed: (1) Where an existing house constricts access, easement may be reduced to save trees of 8" in caliper or greater as measured 4' from their base. (2) Unique conditions on property as determined by the Directors. (3) If there is the potential for an adjacent or stacked lot to be short platted, the proposed short plat would be required to allow for potential future access.

#### **Screening from Adjacent Property**

Proposed: A 6' high fence shall screen adjacent residential properties from the private road (provided the adjacent lot cannot be short platted into additional lots).

### **Formal Subdivision Mandatory Improvements**

#### **Buffer From Adjacent Commercial or Industrial Development**

Proposed: 20' buffer

Current: No standards

## **Road Standards**

Proposed: 55' right-of-way (32' paved roadway, 5' sidewalks, 5' planter strip)

Current: 50' right-of-way (32' paved roadway, 5' wide sidewalks)

## **Open Space**

Proposed: 7% in subdivision of 10 or more lots

Current: 10% in subdivisions of 100 or more lots

Discussion was held about various aspects of the 2 ½' walkway on private access easements (3 or 4 lot short plat) versus a 5' walkway and the City's interpretation of the RCW; implementation of shared private access easement regulations and how costs/benefits would be divided equitably between affected parties when lots are platted simultaneously or on staggered timelines; parking on private access easements, particularly illegal parking and emergency vehicle access; possible use of "latecomer's" fees to offset impacts to the original developer; projects being vested under current regulations upon the City's determination that an application is complete; the 6' fence requirement being waived upon approval by affected property owners; correcting minor inconsistencies regarding tree sizes; and the City being too restrictive in its regulations, negatively impacting private property owners.

Steve Butler stated that the goal was to develop regulations that are fair and equitable to developers and private property owners, while enhancing the character of the neighborhoods, property values, and the City as a whole.

Concern was raised that input was provided by developers (defined as stakeholders) and not individual property owners. Jack Dodge explained that invitations had been widely distributed, only four developers attended the scheduled meetings. Typically, private property owner participation in these types of issues is minimal (in spite of the City's active encouragement and invitations) unless it directly affects the individual owner at the time the issue is being discussed.

Concern was raised that the proposed Subdivision Code either takes people's property away from their use or requires additional funds be spent. At some point, the City needs to determine regulations are sufficient and not burden the private property owner any further. The document needs to be revised with the goal of reducing costs for residents and developers.

It was agreed this subject would be tabled until the December 10 meeting at which the Commissioner's additional questions, concerns, and recommended changes will be addressed in more detail.

**C. Follow-Up Discussion about Issues Raised at the Joint City Council/Planning Commission Meeting on September 25, 2007 (Including Procedures for Planning Commission Development Agreement Review and Preparation of Planning Commission Agendas)**

Steve Butler reviewed the two flow charts; one outlining the Planning Commission's role in the development agreement process, the second outlining preparation of Land Use & Parks Committee and Planning Commission agendas.

Commissioner Lucas updated the new members on the history of the Planning Commission's concerns regarding their lack of involvement in the development agreement process. He also spoke briefly about the Commission asking that determinations as to Planning Commission and Land Use & Parks Committee agenda item priorities be reviewed and clarified.

**4. Detailed Commission Liaison's Report:**

None

**5. Planning Director's Report:**

Steve Butler stated that the next Planning Commission meeting is scheduled for December 10. Agenda items include further discussion about the proposed Subdivision Code, a report on City Council action regarding the 2007 Comprehensive Plan Amendments and the South 154<sup>th</sup> Street Station Area Standards, a presentation on proposed tree retention regulations, and discussion about the Commission's 2008 schedule.

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

Discussion was held about Commissioners gathering informally. Steve Butler explained that any time three or more Commissioners met, it was considered a public meeting and noticing requirements would apply.

The issue of the K&S development agreement was discussed. In some cases, individual Commissioners have met with the developer. Steve Butler advised the Commissioners regarding a recent meeting between senior staff and the developers during which issues still to be resolved were discussed. Mr. Butler suggested that a Commission field trip may be appropriate.

**7. Adjournment:**

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

**PLANNING COMMISSION**  
**Minutes of December 10, 2007, Meeting**

**Members Present:** Rick Lucas, Tom Dantzler, Richard Forschler, Michael Siefkes, Roxie Chapin

**Staff Present:** Jack Dodge, Principal Planner; John Schelling, Senior Planner; Mark Johnsen, Senior Assistant City Attorney; Todd Cutts, Economic Development Manager

**1. Call to Order:**

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

**2. Approve Minutes of November 19, 2007 Meeting:**

A motion was made, seconded, and unanimously passed to approve the minutes of the November 19, 2007 meeting as presented.

**3. New Business:**

**A. Presentation on a Proposed Multi-Family Tax Exemption Program for Designated Areas in SeaTac**

Todd Cutts reported that the multi-family tax exemption program regarding new and rehabilitated multi-unit dwellings in urban center areas was modified by the State legislature in July, 2007. Cities in King County with a population of at least 5,000 may now offer an 8 year city property tax abatement program or up to 12 years if the developer chooses to build, develop, or rehabilitate at least 20% of the units as affordable housing. The program is intended to assist developers in building new multifamily housing which might not otherwise be financially feasible.

The property tax exemption may only be applied to the residential portion of the value of the new construction and to the increased value of a rehabilitated building. The exemption does not cover the underlying value of the land or non-housing improvements. Multi-unit housing developments may be eligible for the following tax exemptions: (1) Housing developments that do not include a designated percentage of units for affordable housing will be eligible for a tax exemption of eight successive years. (2) Housing development with at least 20% of the units for rent or sale as affordable housing will be eligible for a tax exemption of twelve successive years. However, for projects intended exclusively for owner occupancy, this minimum requirement is satisfied solely through housing that is affordable to moderate income households i.e., 20% of any rental units must be reserved for households making 80% of the area median income; and 20% of units intended for owner-occupancy must be

sold to households making 120% of the area median income (and must be resold under the same criteria during the tax exemption period).

Staff is currently reviewing options such as whether or not to allow use of this program for new apartment and/or condominium development, for rehabilitated buildings (must be vacant for 12 consecutive months to be eligible), if the State prescribed number of units (4) would be applied to SeaTac, and the boundaries within which this program would be offered (both station areas are being considered).

Discussion was held about “the area median income”; and implementation of this program in Tacoma, which has resulted in high-end, well done developments (particularly in redeveloping older areas of the city).

Commissioner Lucas expressed concern about the affordability of units being sold to households making 120% of the median income.

This issue will be presented to the Land Use & Parks Committee at their next meeting, to the Administration & Finance Committee in January, 2008, and is tentatively scheduled for City Council action in February.

#### **B. Presentation and Discussion about the Latest City of SeaTac/K&S Development LLC (aka "SeaTac Center") Proposed Development Agreement**

Mark Johnsen stated that the revised Development Agreement (DA) being negotiated between the City and K&S includes a proposal to construct two residential towers of up to 850 units with retail on the ground floor, a north/south private access road with pedestrian amenities between South 154<sup>th</sup> & South 152<sup>nd</sup> Streets, a pedestrian-only access between the north/south private access and International Boulevard, and the project being constructed in phases, subject to tight timelines\*. Staff is supportive of the new proposal which will be presented to the City Council tomorrow, followed by a presentation at the next Land Use & Parks Committee meeting, and a public hearing and final action by the City Council in late January, 2008.

\* Phase One: The developer is required to submit a formal application to construct one residential tower within 24 months of finalization of the DA, with construction substantially complete within 30 months of permit issuance. Phase Two: The second residential tower must be permitted within 54 months of finalization of the DA, with an additional 30 months to complete construction. Phase Three: Replacement of the existing retail center. No permits will be issued until the Starbucks is completed. If the timelines are not met, the Agreement is terminated and all City concessions are forfeited. Further, the Development Agreement requires that both parties diligently pursue getting the permits approved and issued.

The proposed DA would allow the following concessions and code deviations:

- K&S agrees not to construct a park and fly garage

- K&S will dedicate a minimum 30' easement between III Marks Apartments and the residential structure on the garage parcel
- K&S will construct the north/south connector to accommodate landscaping and pedestrian amenities to create a village-like appearance
- K&S agrees to tight timelines for permitting and construction
- City agrees to allow development of 850 residential units without additional SEPA mitigation
- City agrees to allow pedestrian-only access between the north/south connector and International Boulevard
- City agrees to consider closure of Military Road between South 152<sup>nd</sup> Street and IB
- City agrees to provide credits for construction of the north/south connector and other pedestrian improvements towards traffic mitigation fees

Issues of concern for K&S that remain to be resolved in the Development Agreement include how the potential closure of Military Road would impact the site, details regarding location and footprint of the retail, easement widths, and tying construction of the second residential tower to how quickly units in the first tower sell or rent.

The City is currently conducting a traffic study in the South 154<sup>th</sup> Street Station Area, the results will determine whether or not it is feasible to vacate the portion of Military Road between South 154<sup>th</sup> and South 152<sup>nd</sup> Streets. A decision by the City Council is anticipated in early 2008.

Lengthy discussion was held about how the Military Road vacation and resulting signal and road reconfigurations might impact the K&S site, as well as how the three privately owned parcels in that area would be affected. Commissioner Lucas suggested that Sound Transit fund the road improvements. Further discussion was held about the current housing market and resulting impacts on project funding; the residential units including a mix of apartments and condominiums; and how the City could assist K&S in keeping costs down.

A motion was made, seconded, and unanimously passed to recommend the City Council approve the proposed Development Agreement between the City and K&S as presented.

#### **4. Old Business:**

##### **A. Continued Discussion about Proposed Zoning Code Amendments Regarding Tree Retention in Single Family Zones**

John Schelling advised that, based on current aerial photographs, there are approximately 749 lots with trees within the City of sufficient size to short plat (at least 14,400 square feet).

Additional clarifications to the proposed amendments include: (1) Cottonwood trees would not be considered significant trees; (2) Agricultural crops, such as Christmas tree farms, would be exempt from tree retention requirements; (3) A preferred planting list would be developed; (4) A tree report from a licensed, professional arborist would be required for short plats, subdivisions, and commercial developments; (5) 12% of existing healthy trees would be retained; and (6) Trees deemed hazardous may be removed (with new trees to mitigate if removal reduces the number below 12%).

Discussion was held about healthy trees blowing over; requiring a professional arborist for a tree report would be an unreasonable expense for property owners (staff should be trained); rolling back requirements rather than enhancing them; whether or not the City should get completely out of the business of regulating trees; and that mitigating tree removal was too stringent a requirement.

Jack Dodge explained that a public hearing before the Planning Commission is tentatively scheduled for January 28. He agreed to inform the City Council that the Planning Commission is generally against the tree retention requirements as presented.

## **B. Continued Discussion about the Proposed New Subdivision Code**

Jack Dodge provided a summary of the major changes outlined in the proposed new Subdivision Code that address private access roads, pedestrian pathways in short plats, side-by-side short plats, fencing on new access easements in short plats, binding site plans, and street trees and recreational open space within formal subdivisions.

### **Private Road Easement/Pedestrian Path Within Short Plats**

- Current: 15' easement width (10' paved with 2 ½' of gravel on both sides)
- Proposed: A 20' easement width (15' paved with a 5' delineated walkway)

### **Private Access Easement Within Side-by-Side Short Plats**

- Proposed: 30' wide easement (22' paved with curb/gutter/sidewalk on one side).

Each property owner would be responsible for certain construction costs, the trade-off being the first property owner would have less expenses, the second property owner would have more expenses but have additional lot area.

Commissioners Forschler and Siefkes expressed concern about additional costs to developers, as well as additional administrative costs to the City, resulting from the City developing regulations to address every possible circumstance. They suggested the number of requirements be reduced.

Jack Dodge explained that side-by-side short plats were, in fact, de facto subdivisions. The City allowing them (most jurisdictions do not) waives the subdivision requirement of dedicated right-of-way, is an additional avenue to provide affordable housing within the City, improves property values, and allows parking on one side of

the easement without compromising access by emergency vehicles. He further stated that codes are always in a state of flux and being revised as new circumstances arise. Daryl Tapio, resident and developer in SeaTac, was invited to speak. He stated that a few meetings had been held between the City and developers, but no conclusions had been reached. Mr. Tapio has numerous concerns relative to the proposed Subdivision Code and believes it adds a lot of regulations. He will submit his concerns in writing to Mr. Dodge who will then forward them on to the Commissioners.

Discussion was held about the 6' fence requirement (this requirement will be enforced only if adjacent property owners agree); and removing all tree requirements except those regarding the access easement being reduced to save trees.

A public hearing is tentatively scheduled before the Planning Commission at their next meeting on January 28.

**5. Detailed Commission Liaison's Report:**

None.

**6. Planning Director's Report:**

None.

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

Commissioner Dantzler stated he would be out of town for both February meetings and the first meeting in March.

**8. Adjournment:**

The meeting was adjourned at 7:45 p.m.