

**PLANNING COMMISSION**  
**Minutes of December 2, 2009, Meeting**

**Members Present:** Richard Forschler, Melvin McDonald, Tom Dantzer,  
Rick Lucas, Roxie Chapin

**Staff Present:** Steve Butler, Planning Director; Jack Dodge, Principal Planner;  
Anita Woodmass, Associate Planner

**1. Call to Order:**

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

**2. Approve Minutes of November 16, 2009, Meeting:**

Tabled.

**3. Public Hearing:**

**A. Staff Presentation on the Major Zoning Code Update and Related Code Changes**

On November 24, the City Council imposed a moratorium on development within the SeaTac/Airport Station area (north of S. 176<sup>th</sup> St. only). Findings of Fact will be presented by the City Council at a public hearing on January 12, 2010. The moratorium sunset date is May 15, 2010; no land use, development, or building permit applications will be accepted in the interim. An Ad Hoc Committee will be appointed to review proposed standards, meetings will likely start in January. Staff recommends that the Planning Commission formally close the public hearing after tonight's testimony, as public hearing dates for 2010 have not yet been finalized.

Anita Woodmass reviewed the original goals of the Zoning Code Update process, and summarized the status of the project and next steps as follows:

**The project has been split into two phases**

- Phase 1, tentative adoption date May/June 2010
- Phase 2, tentative adoption date end of 2010

**Proposed changes in the SeaTac/Airport Station Area Overlay District**

- New street network to make the area more pedestrian-friendly
- New ground floor use requirements to activate the street and provide destinations for pedestrians
- Minimum building heights and other revisions to better address pedestrian-oriented building design

- Revisions to parking structure requirements to better integrate parking structures into the pedestrian-oriented environment

## **B. Public Hearing (continued from 11/16/09) on the Major Zoning Code Update and Related Code Changes**

The Chair opened the public hearing at 5:42 p.m.

Chris Boysen, 18718 6<sup>th</sup> Ave. SW, Seattle, WA 98166: Mr. Boysen represents family-owned, 40 contiguous acres on International Boulevard across from the airport. The businesses have been successful because the highest and best use of the properties has always been airport-related. The City should be cautious in risking millions of taxpayer dollars attempting to force the market to accept non-airport related retail businesses. Surrounding cities have failed, resulting in high vacancies and bankruptcies. With adoption of the Major Zoning Code Update delayed, greater representation may create a more realistic code for those who have to implement it. Property owners' concerns focus on public usage of private Bow Lake, and excessive street grid requirements upon redevelopment (costly street grids do not promote efficient use or the pedestrian-friendly concept).

Earl Gipson, 17050 51<sup>st</sup> Ave. S.: Mr. Gipson studied the overlays, and believes the process is not being conducted in an organized fashion, approval authority should be spread amongst a consortium of people. Now, the City is "slapping" a moratorium on property owners who had plans to develop. It has not been proven that an entertainment district will provide a return on the citizens' investment; \$14 million for a capital improvement project is ridiculous. The ad hoc committee should review the SEPA Determination of Nonsignificance issued by the City. Impacts are extremely significant and the determination should be appealed; SEP08-00020 appeal submittal deadline is 5:00 p.m. December 7.

John Houlihan, 3401 Evanston Ave. N. #C, Seattle: Mr. Houlihan requests the Planning Commission recommend against adoption of the proposed SeaTac/Airport Station Area Overlay District, and the condemnation action targeting his client's property be rescinded. These actions make for an unlevel playing field when trying to negotiate with the City. His client faces a significant taking of private property for a plan that may never come to fruition.

Wes Wood, 3100 S. 176<sup>th</sup> St., SeaTac: Mr. Wood doesn't understand why property owners in the station area are not as important as the Phase 1 and 2 areas where the Zoning Code is being held off until an ad hoc committee can be appointed. None of the items discussed at the November 16 meeting have been changed, it must go in one ear and out the other, they're not considered important enough for the City to make changes. Two projects were submitted, the City's response was to "run" and pass a moratorium; they want to put in a parking garage.

Steve Butler explained the proposed overlay district design standards would be part of the ad hoc committee's Phase 1 review.

Daryl Tapio, 16833 40<sup>th</sup> Lane S., SeaTac: Mr. Tapio supports appointing an ad hoc committee to study the Major Zoning Code Update. Good suggestions from property and business owners, and citizens should be considered. Zoning Code regulations should not "micromanage" to the point where only one design style is acceptable. He agrees that businesses adjacent to an international airport should utilize that traffic flow as a primary revenue source.

Gordon Tang: Mr. Tang is not sure how much staff tried to convince the Planning Commission and City Council to approve a road configuration that would cannibalize his perfect three acre piece into four pieces, including an inaccessible triangle. What would have been a green area for all to enjoy will only be enjoyed by residents of an adjacent apartment complex who leave needles and beer bottles. He wishes to build a hotel on the site and is scheduled to sign a franchise document by the end of the year. He believes the motives and competency of staff should be questioned, and a consulting firm was hired to justify an end result that staff had already decided upon. Instead of building on a three acre site, he would be forced to build a twelve-story skinny tower on approximately one acre. Construction costs would be \$300,000 per room instead of \$150,000 per room, which translates into a nightly rate of \$300. Mr. Tang is the only one willing to put money on the line and be a catalyst to bring additional development to the area. He signed a settlement agreement with the City in May, 2006, allowing him to operate the Jet Motel until the time was right for redevelopment. Further, he spent \$1 million to implement requirements in that agreement, and now the City wants to cut up his property. Mr. Tang left China years ago because officials could dictate what was to be done. He would like to meet with each City Council member and Planning Commissioner to further explain his new hotel project which would increase employment and draw hotel patrons who now stay in Seattle.

James Cassan, S. 176<sup>th</sup> St., SeaTac: Mr. Cassan believes there has been a lot of "chicanery" between staff and property owners; staff decided to condemn various properties and convinced the consultants to approve their preferred street alignment. He believes alternative configurations should be considered, and is concerned about taking a risk on an entertainment district.

Mr. Tang and Mr. Cassan agreed to consider an LID process. Commissioner Dantzer suggested that a representative from each property be appointed to the new ad hoc committee.

Jamie Boysen-Motland, 19419 5<sup>th</sup> Ave. S., Des Moines, WA 98148: She had questions about how the new ad hoc committee would be formed, and how best to express interest in being appointed.

Hearing no further requests to speak, the Chair closed the public hearing at 7:52 p.m.

**C. Continued Review and Discussion about the Major Zoning Code Update and Related Code Changes**

A motion was made, seconded, and unanimously passed to recommend to the City Council that membership in the Ad Hoc Citizen's Advisory Committee include at least one person from each property within the SeaTac/Airport Station Area, and that membership be open, as opposed to assigned.

A motion was made, seconded, and unanimously passed to recommend that the City Council not adopt the current SeaTac/Airport Station Area Overlay District on December 8, but include it as part of the Ad Hoc Citizen's Advisory Committee's process for the station area.

A motion was made, seconded, and unanimously passed to recommend that the City Council rescind the current condemnation action proposed in the SeaTac/Airport Station Area and refrain from imposing further condemnation actions within the area until the Ad Hoc Citizen's Advisory Committee has made their recommendations.

A motion was made, seconded, and unanimously passed to recommend to the City Council that the Ad Hoc Citizen's Advisory Committee review and make recommendations on the street layout in the SeaTac/Airport Station Area.

A motion was made, seconded, and unanimously passed to recommend that the City Council lift the moratorium on development within the SeaTac/Airport Station Area.

Please Note: Steve Butler raised several points of order regarding the Commission discussing and making recommendations on items not published on the December 2, 2009 Planning Commission meeting agenda.

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

Commissioner Forschler attended the November 24 City Council meeting, the moratorium was discussed at length.

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

Steve Butler advised that a Land Use & Parks Committee meeting is scheduled for Thursday, December 10. He also invited everyone to an open house the city is hosting regarding the SeaTac/Airport Station Overlay District that will be held at the Holiday Inn on December 7 from 5:00 to 8:00 p.m.

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

None

**7. Adjournment:**

The meeting adjourned at 8:00 p.m.