

PLANNING COMMISSION
Minutes of May 18, 2010, Meeting

Members Present: Melvin McDonald, Daryl Tapio, Tom Dantzler, Roxie Chapin, Barry Ladenburg

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

1. Call to Order:

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

2. Approve Minutes of May 4, 2010, Meeting:

A motion was made, seconded, and unanimously passed to approve the minutes of the May 4, 2010 minutes as presented.

3. Public Hearing:

A. Staff Presentation and Public Hearing on a Proposed SMC Amendment regarding Appeals of Non-Project SEPA Determinations (continued from 4/6/10 and proposed to be closed)

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

Staff is recommending the public hearing be closed. This item is being tabled indefinitely.

Earl Gipson, 17050 51st Ave. S.: Mr. Gipson asked to be made a party of record and notified should the issue come before the Commission in the future.

Hearing no further requests to speak, the Chair closed the public hearing at 5:35 p.m.

B. Staff Presentation and Public Hearing and Planning Commission Recommendation to city Council Regarding Proposed Zoning Code Amendments Related to “Crisis Diversion Facilities”

The Chair opened the public hearing at 5:35 p.m.

Al Torrico reviewed the proposed amendments which include new definitions for a Crisis Diversion Facility (CDF) and Crisis Diversion Interim Facility (CDIF), revisions to the existing essential public facilities (EPF) definition, and revisions to the residential use chart to allow CDF and CDIF as a conditional use in the Community Business, Aviation Business Center, and Industrial zones subject to the Essential Public Facilities (EPF) siting process. The CUP-EPF process allows for extensive public input, and enables the City to determine location and address potential operational concerns. A CDF may be located in Tukwila. An associated CDIF may be located in Tukwila or possibly in nearby SeaTac, Des Moines, or

Burien. SeaTac has authority over zoning and siting issues only, this is a King County program.

This topic may be added to the agenda for the upcoming joint SeaTac/Tukwila Planning Commission meeting.

Earl Gipson asked that he be made a party of record.

Hearing no further requests to speak, the Chair closed the public hearing at 5:41 p.m.

A motion was made, seconded, and unanimously passed to recommend that the City Council adopt the proposed amendments as presented.

4. New Business:

A. Initial Discussion about potential Wellhead Protection Regulations

Jack Dodge advised that the City's current regulations were reviewed by the Department of Ecology (DOE), their findings indicate they may not adequately protect wellheads. There are fifteen water wells within or adjacent to SeaTac, most are domestic water supply wells owned by the Seattle Public Utility or Highline Water District. Wellhead Protection Zones will be established as follows:

- Zone 1 – Contaminants could reach the wellhead in one year
- Zone 2 – Contaminants could reach the wellhead in five years
- Zone 3 – Contaminants could reach the wellhead in ten years

Depending upon the Wellhead Protection Zone, certain uses may be prohibited or additional restrictions imposed to prevent contamination. Both utilities and DOE will review the City's proposed amendments. This issue will be discussed again at the Commission's June 1 meeting, a public hearing is tentatively scheduled for July 6, with possible Council action on July 13.

Discussion was held about existing businesses in the City that could be impacted by the new regulations; the utilities being responsible for security and fencing; and the utilities notifying SeaTac regarding future well sites to facilitate efficient land use decisions.

5. Old Business:

A. Discussion about Establishing the "Final Docket" of 2010 Proposed Comprehensive Plan Amendments and Proposed Approach to Encourage Public Participation

Mike Scarey reported that the Preliminary Docket contains all amendment proposals, including four land use plan map amendments, three amendments to informational maps, fourteen text amendments, and two subarea plan amendments. Tonight's review will focus on the map amendments; Mr. Scarey reviewed those as follows:

LAND USE PLAN MAP

- Map Amendment #A-1 – Amend the designation of a vacant, City-owned parcel located east of the site for the new fire station #45 on South 200th Street from Residential Low Density to Residential High Density.

This amendment would allow the subject property to be used for surface parking to support the new fire station.

- Map Amendment #A-2 – Amend the designations of two parcels located at 3507 S. 188th St. from Residential Low Density to Office/Commercial/Mixed Use.

The applicant is proposing to site senior housing over commercial use.

Discussion was held about how the proposed designation change compares with existing land use designations in the area, and how the proposed project could impact traffic and adjacent residents; and whether or not one access off South 188th Street would be sufficient.

- Map Amendment #A-3 – Amend the designation of the eastern half of the MasterPark Lot B site, located at 2907 S. 170th St. from Commercial Medium Density to Commercial High Density.

The subject site is a candidate for a major FAA center. The applicant has submitted this proposal as part of meeting required criteria.

Concern was raised about an agreement the City made with adjacent neighbors during the City Center Plan process that height limitations would be “stepped” to ensure they were not overwhelmed by tall buildings. Staff will provide information regarding that agreement at the next meeting. It was suggested that if the site were chosen by FAA, the portion of the property fronting on International Boulevard could be used instead.

- Map Amendment #A-4 – Amend the designation for property located at 19740 Military Road South from Residential Medium Density to Industrial.

The applicant is proposing a tow yard on the eastern portion of the property which is down a 40% plus slope, immediately adjacent to Interstate 5. The property owner has attended a City Development Review Committee meeting where numerous issues were raised, including building a road to accommodate a fire truck. Concern was raised about aesthetics, and how best to screen the use.

INFORMATIONAL MAPS

- Map Amendment #B-1 – Update existing land use map with current information.
- Map Amendment #B-2 – Update the Wetlands & Streams map with current information.
- Map Amendment #B-3 – Update the Wellhead Protection Areas with current information.

SUBAREA PLAN AMENDMENTS

- Subarea Plan Amendment #S-1 – Potential change in the vision for the SeaTac/Airport Station Area
- Subarea Plan Amendment #S-2 – Remove the minor arterial designation on the street located at approximately South 181st Street.

TEXT AMENDMENTS

- Text Amendment #T-1 – Develop policies to guide parking development, and potentially require new park and fly operations to be established in structures, where appropriate.

B. Continued Discussion about Options for Changing the Discretionary Decision-Making Currently allowed within the zoning Code

Discussion was held about Zoning Code language stating, “The Hearing Examiner shall accord substantial weight to the recommendation of the Department of Planning and Community Development”, and whether or not that skews his decision in favor of the City.

A cross-section of recent Zoning Code interpretations issued by Steve Butler as Director of Planning and Community Development will be provided to the Commission to facilitate discussions and assist in determining whether or not the Commission would support changes to the City’s current policies. All Zoning Code interpretations are reworked into code language and presented as proposed code amendments to the Commission and then to Council for action. Whatever process the City uses, state-mandated timeframes must be met. Discussion was held about the chain of command; Steve Butler advised that the City Manager is very much involved in all major decision-making. Mr. Butler also stated that it is important that decisions be made fairly, consistently, and in a timely fashion, regardless of who makes them.

A list of steps to provide a counterweight to management decisions was presented by Commissioner Tapio for discussion purposes as follows: (1) The City should have an ombudsman, which could be a group of people who have expertise in various fields; (2) Ensure senior staff reflect the City Council’s views; (3) Review hearing examiner criteria for possible changes; (4) Appoint a design review board of two to five members from the private sector with experience in land use and building to make decisions in certain circumstances; (5) The Planning Commission assuming an ombudsman-type role in overseeing the work of the Planning Department. Several Planning Commissioners expressed their opinion that step #2 was overreaching, especially given that all directors work under the City Manager.

This may be an appropriate topic for discussion at the Joint City Council/Planning Commission meeting scheduled for July 13. It was suggested that the Council be provided with materials to review before the meeting, and they be alerted to the numerous places in the Zoning Code giving decision-making authority to the City Manager or his designee or the Director of Planning and Community Development. The issues of design review and ombudsman may be discussed between the SeaTac and Tukwila Planning Commissions.

Earl Gipson stated his support for the creation of a planning review board.

6. Detailed Commission Liaison's Report:

A great deal of time was spent at the May 11 City Council meeting taking public comment on the Freedom of Information Act, and possible abuse of that.

7. Planning Director's Report:

The Commission's June 1 meeting agenda will include discussion on topics for the joint City Council/Planning Commission meeting, the joint meeting with the Tukwila Planning Commission, and the annual Transportation Improvement Program briefing.

The joint meeting with Tukwila will be held at Tukwila city hall in their council chambers on Thursday, June 17, beginning at either 6:00 or 6:30 p.m. (snacks will be provided). It was agreed that the Commission would cancel their regular June 15 meeting.

The joint meeting with the City Council has been confirmed for Tuesday, July 13 from 5:00 to approximately 6:00.

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

Discussion was held about televising certain meetings when the Planning Commission addressed items that could impact residents, such as Comprehensive Plan amendments. Concern was raised that the presence of cameras could be intimidating, thereby impeding the current open and honest exchange of ideas and discussion. It was suggested that upcoming Commission and other committee agenda items of interest be scrolled across the bottom of the SeaTV screen during Council meetings.

Commissioner Tapio reported that the McMicken Heights neighborhood has organized a crime watch meeting scheduled for Wednesday at the new fire station on South 170th Street at 7:00 p.m.

Commissioner McDonald stated he would not attend the June 1 meeting.

9. Adjournment:

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