



MEMORANDUM

COMMUNITY & ECONOMIC DEVELOPMENT

Date: July 13, 2012
To: Planning Commission Members
From: Gary Schenk, Acting Director, Department of Community and Economic Development GS
Subject: Upcoming Meeting – Tuesday, July 17, 2012

Agenda items for Tuesday's meeting are as follows:

1) **Draft Minutes of June 19, 2012 Planning Commission Meeting**

Background:

Draft minutes of the previous meeting presented for approval.

Exhibits Associated with this Item:

Exhibit A: City of SeaTac, Planning Commission, Draft Minutes, June 19, 2012

2) **Review And Discussion about Map Amendment A-2, and Potential Reconsideration of Commission's Recommendation about Map Amendment A-2**

Presenter:

Mike Scarey, Senior Planner

Background:

The Commission's recommendation about Map Amendment A-2 at the last meeting (June 19, 2012) was to not include that proposal in the Final Docket. Subsequently, additional information confirming that the applicant qualified for an exemption to the steep slope regulations, as provided in subsection 15.30.280.E.2 of the SeaTac Municipal Code (SMC), was provided to the Commissioners via email. Commissioner responses via email indicated that at least one additional Commissioner was supportive of the Map Amendment A-2 proposal after reviewing the new information. The email responses are considered an unofficial vote, since the discussion was not held in a public meeting. Tonight's agenda topic focusing only on Map Amendment A-2 is intended to confirm the Commission's recommendation on the proposal.

The Commission's packet from the June 19 meeting includes the Preliminary Docket Staff report with the staff recommendation regarding Map Amendment A-2, which has not changed. If you need another copy of that staff report, please contact Mike Scarey at (206) 973-4750.

Exhibits Associated with this Item:

Exhibit B-1: Three-page graphics of the Map Amendment A-2 area, illustrating the proposed Comprehensive Plan amendment, and the potential zoning change that would result if the Comprehensive Plan amendment is adopted.

Exhibit B-2: Letter to Bo Lindstrom from former Planning Director Steve Butler confirming that Mr. Lindstrom's property qualifies for the exemption allowed under subsection 15.30.280.E.2 SMC.

Exhibit B-3: Section 15.30.280 SMC.

Anticipated Schedule for this Item:

Currently scheduled to be submitted to the City Council for action at the July 24, 2012 regular Council meeting (RCM)

If you have any questions or comments about Tuesday's meeting, please feel free to call me at (206) 973-4750.

**CITY OF SEATAC
PLANNING COMMISSION MEETING**

Tuesday, July 17, 2012

**Council Chambers, SeaTac City Hall, 4800 S. 188th Street
5:30 p.m. to 6:50 p.m.**

MEETING AGENDA

1. Call to Order/Roll Call – 5:30 P.M.
2. Approve Minutes of June 19, 2012 Planning Commission Meeting – 5:30 P.M. to 5:35 P.M.
3. New Business – None
4. Old Business – 5:35 P.M. – 6:35 P.M.
 - a. Review and discussion about Map Amendment A-2, and potential reconsideration of Commission's recommendation about Map Amendment A-2.
5. Detailed Commission Liaison's Report – 6:35 to 6:40 P.M.
6. Community & Economic Development Director's Report – 6:40 to 6:45 P.M.
7. Planning Commission Comments (*including suggestions for next meeting's agenda*) – 6:45 to 6:50 P.M.
8. Adjournment – 6:50 P.M.

CITY OF SEATAC
PLANNING COMMISSION

DRAFT

Minutes of June 19, 2012
Regular Meeting

Members Present: Daryl Tapio, Chairman, Roxie Chapin, Vice-Chair, Tom Dantzler, Joe Adamack

Members Absent: Jeff Guite

Staff Present: Mike Scarey, AICP, Senior Planner, Albert Torrico, Senior Planner

1. **Call to Order:**

The Chair called the meeting to order at 5:35 p.m.

2. **Approve Minutes of the June 5, 2012 Meeting:**

On a motion by Chapin, 2nd by Adamack, the Commission voted **4-0 to approve** the minutes of the June 5, 2012 meeting as presented.

3. **New Business:**

A. Review of 2012 Planning Commission Work Plan and Report and Recommendation to Council

Mr. Scarey provided an overview of the Planning Commission's work plan for 2012. He noted to the Commission that the Planning Commission is required to submit a work plan to the City Council that is consistent with SMC 2.15.135.

The report includes information on the City's progress in implementing the goals and requirements of State law and on the status of land use policy and procedures. Mr. Scarey commented that the report has three main sections: (1) a summary of accomplishments in 2012 towards the goals and requirements prescribed by State law; (2) goals identified by the City Council that are associated with the scope of authority and responsibilities of the Planning Commission; and (3) the proposed Planning Commission Work Plan for 2013.

Mr. Scarey went through the work plan by section with the Commission, and said that he will present the Planning Commission Report and Work Plan for 2013 to the City Council at the July 10, 2012 Regular Council Meeting (RCM). He suggested that a Planning Commissioner be present also. Vice Chair Chapin said that she would attend the July 10, 2012 RCM and assist with the presentation.

In response to Commission questions Mr. Scarey had the following answers:

Who provided the communication under each Council goal? Mr. Scarey commented that it was partially based on the previous report.

Can the extension of SR-509 be a sub-component of any of the Council Goals? Yes, perhaps as an additional point under Council Goal #5, which refers to infrastructure improvements in the South 200th Street Light Rail Station Area.

Didn't the State allocate \$5 million for design and right-of-way acquisition for the SR 509 Extension? Yes, money was allocated for further study of tolling and for design work to determine future right-of-way acquisition needs.

If one aspect of the zoning code update is held up, will that put the rest of the project on hold? No, the City Manager has instructed staff to work to resolve the parking standards appeal. The rest of the zoning code update is on hold partly due to staffing issues and partly at the direction of the City Manager.

Commissioner Tapio commented that the rest of the zoning code update should proceed regardless of the fact that there isn't a CED Director and that existing staff are competent to handle the project. He also commented that a staff member who has been with the City with knowledge of the history of the project could be the project manager.

4. Old Business:

A. 2012 Comprehensive Plan Amendment Process

Mr. Scarey presented the 2012 Comprehensive Plan Amendments. The purpose of the presentation was to review the Preliminary Docket proposals and go over the schedule. Mr. Scarey noted that following the presentation, the Commission will be asked to make a recommendation that will be brought to the City Council on July 10, 2012 for review, and for Council action at the July 24, 2012 RCM.

Mr. Scarey reviewed the staff report findings and recommendations, summarizing the staff recommendations as follows: Map Amendments A-1 and A-2 not be moved forward to the Final Docket; Map Amendment B-1 be moved forward, but B-2 not move forward to the Final Docket; and all four (4) Text Amendments be moved forward to the Final Docket.

Regarding Map Amendment A-1, Mr. Scarey had the following responses to questions from the Commission:

What is the future of the Riverton Heights site? It will likely include a new fire station and probably some type of market rate housing, perhaps townhomes or another type of multi-family.

Commissioner Chapin commented that the applicant should not be penalized because the area is currently single-family. The applicant purchased the property and is ready to redevelop the site and should be allowed to develop to the highest and best use.

Chair Tapio commented that the area is already surrounded by higher intensity uses and needs further discussion.

Did notices go out to neighboring property owners? No, that will happen with the second phase of the amendment process.

Regarding Map Amendment A-2, Mr. Scarey had the following responses to questions from the Commission:

If Amendment A-2 moves forward will the applicant do any traffic modeling? Yes, the applicant will need to conduct a thorough traffic analysis.

Commissioner Dantzler commented that the applicant might need to restrict turning movements to right-in, right-out only onto Military Road. A new development may provide some relief from highway noise to neighboring properties. We should wait and see what can be developed on the site and allow the applicant the opportunity to try.

Commissioner Adamack concurred with Commissioner Dantzler.

Chair Tapio commented that when you buy a piece of property you know going in what the zoning is and what type of development it will support. That applicant is asking to rezone property that is lower density to higher density. This should not move forward and go to a public hearing. Given the site constraints, the likelihood of redevelopment is slim.

There was no discussion on Map Amendments B-1 and B-2, or Text Amendments T-1, T-2, T-3, and T-4.

After some additional discussion about Map Amendments A-1 and A-2 the Planning Commission took the following action in reference to the 2012 Preliminary Docket of Comprehensive Plan Amendments:

Map Amendment A-1: on a motion by Dantzler, 2nd by Chapin, the Commission voted 3-1 to move the Amendment forward to Final Docket.

Map Amendment A-2: on a motion by Dantzler, 2nd by Adamack, the Commission voted 3-1 to not move Amendment A-2 forward to Final Docket.

Map Amendments B-1 and B-2: on a motion by Dantzler, 2nd by Chapin, the Commission voted to concur with the staff recommendation and forward Map Amendment B-1 to the Final Docket, but not Map Amendment B-2.

Text Amendments T-1, T-2, T-3, and T-4: on a motion by Dantzler, 2nd by Chapin, the Commission voted to move Text Amendments T-1, T-2, T-3, and T-4 forward to the Final Docket.

5. Detailed Commission Liaison's Report:

Commissioners Dantzler and Adamack attended the June 12 Council meeting.

Commissioner Dantzler commented that staff did a terrific job working on the development agreement with Sound Transit. They listened to concerns and he appreciated their efforts.

Commission Chair Tapio noted that he attended the City Council meeting on May 22, 2012.

6. Community & Economic Development Director's Report:

In response to a question from Chair Tapio regarding the Growth Management Planning Council's (GMPC) action on the affordable housing amendments to the Countywide Planning Policies at the June 6 GMPC meeting, Mr. Scarey responded that the amendments that the City of SeaTac had offered were not incorporated into the revised policies.

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

Commissioner Dantzler gave a brief presentation for the Commission on what has been happening with his property and the S. 200th Street Light Rail Station. He noted that Sound Transit is proceeding with a condemnation process that includes a temporary construction easement (TCE). He shared a few graphics that showed the extent of the TCE and how that will adversely affect transit oriented development options for his site and leaves very little room for flexibility.

8. Adjournment:

By the consensus of the Commission, the meeting was adjourned at 7:34 p.m.

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Map Amendment A-2 Location and Context

Parcel Outlined in Red Proposed for Change



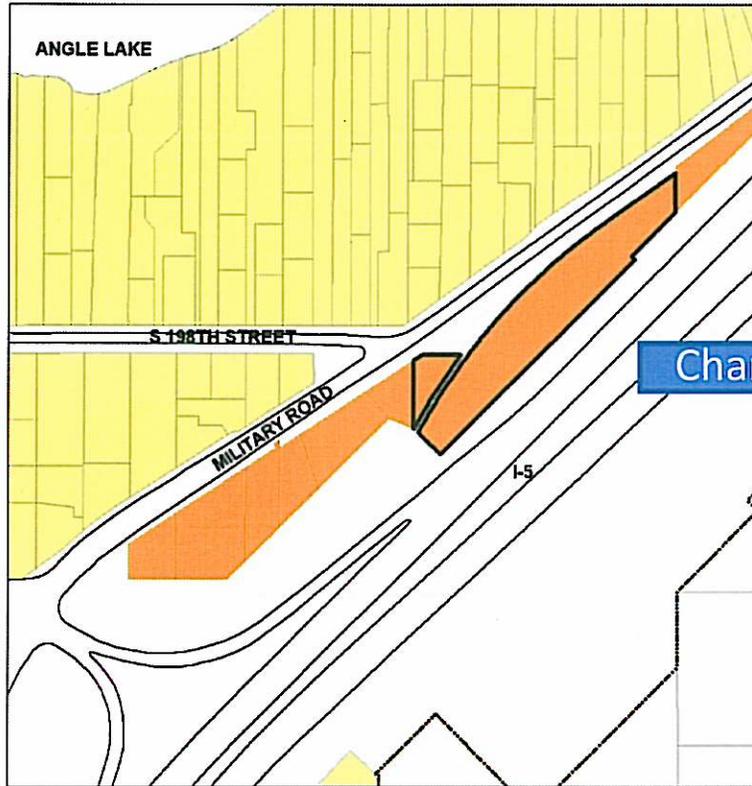
EXHIBIT B-1
DATE 7-17-12



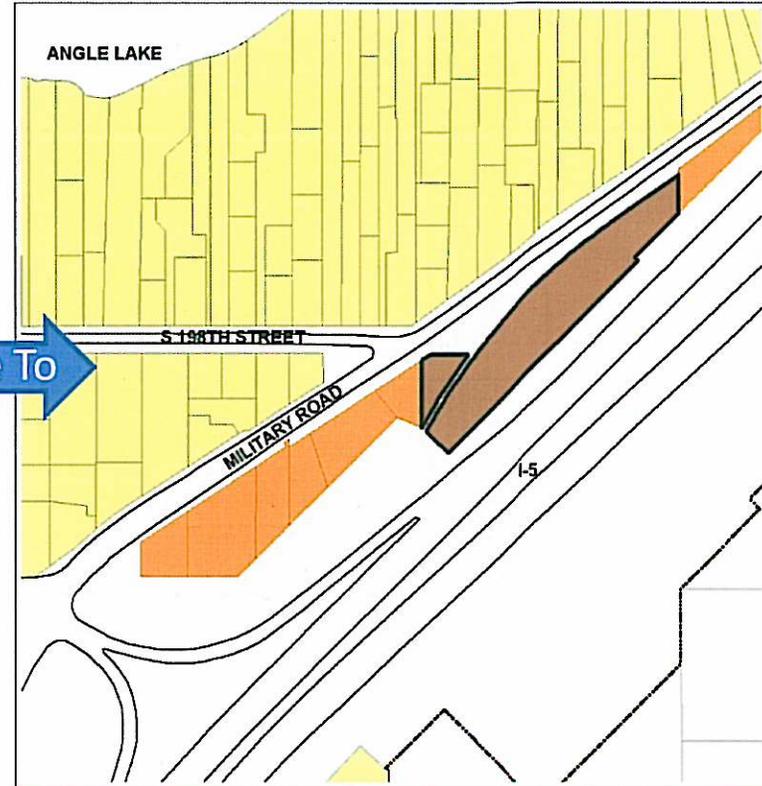
Map Amendment A-2

Existing Comprehensive Plan:
Residential Medium Density

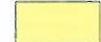
Proposed Comprehensive Plan:
Residential High Density



Change To



COMPREHENSIVE PLAN

-  Subject Parcel
-  Residential Low Density

-  Residential Medium Density
-  Residential High Density



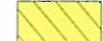
Map Amendment A-2

Existing Zoning:
UM-2400

Proposed Future Zoning:
UH-900



ZONING

-  Subject Parcel
-  UL-15,000

-  UL-7,200
-  UM-2,400
-  UH-900

EXHIBIT B-2
DATE 7-17-12



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

July 22, 2010

4800 South 188th Street
SeaTac, WA 98188-8605

City Hall: 206.973.4800
Fax: 206.973.4809
TDD: 206.973.4808

Mr. Bo Lindstrom
19740 #E Military Road South
SeaTac, WA 98188

SUBJECT: EXEMPTION FROM STEEP SLOPE CRITICAL AREAS REGULATIONS

Dear Mr. Lindstrom:

This letter grants you an exemption from the City's "steep slope" regulations pursuant to SeaTac Municipal Code (SMC) 15.30.280 E. 2.. Based upon the recent information that you have submitted from Geotech Consultants, Inc and Knotty Tree Service, the City has determined that the steep slope on your property was created through previous legal grading activities. The information from Geotech Consultants and Knotty Tree Service is summarized as follows:

1. A comparison is provided between 1949 contour datum (from 1968 USGS topography maps) and 2000 topography information prepared by Cramer NW Inc. in August of 2000. The information indicates a cut of between 15 and 35 feet on the property.
2. The centerline of the southbound lanes of I-5 were cut approximately 15 feet at approximately where the 1949 375 foot contour line crosses I-5. A 15 foot cut here would approximately match the 360 contour line on the property surveyed by Cramer NW Inc.
3. The information indicates there was a cut of approximately 15 to 35 feet on the property during the past sometime between 1949 and 1968.
4. Knotty Tree Service indicates, in their opinion, there are no trees on site that are older than approximately 60 years of age.
5. King County did not regulate grading on private property until January of 1968 (KC Res. 34643).

In addition, the following information was used in the City's determination.

1. Review of the 1960 and 1969 aerial photos provided by you previously.

Mayor
Terry Anderson

Deputy Mayor
Gene Fisher

Councilmembers
Rick Forschler
Ralph Shape
Tony Anderson
Pam Fernald
Mia Gregerson

Interim City Manager
Todd Cutts

City Attorney
Mary Mirante Bartolo

City Clerk
Kristina Gregg

2. This area of I-5 was graded and constructed approximately between 1964-1968.
3. Review of the 1936 aerial photo of your property with 2006 contour lines superimposed (New information generated by our GIS).
4. King County did not adopt "Sensitive Areas" regulations until September 10, 1990 (effective on December 10, 1990).

Based upon the above, an exemption is granted. Please note, any construction on the site will require a geotechnical study which shall be approved by the City. The setbacks of any remaining slopes in excess of 40% after construction shall meet the requirements of SMC 15.30.

If you have any questions concerning the above, please contact me at 206-973-4830.

Sincerely,



Stephen C. Butler
Director of Planning and Community Development

cc: Todd Cutts, Interim City Manager
Jack Dodge, Principal Planner
Al Torrico Jr., Senior Planner
Anita Woodmass, Associate Planner
Dixie Hallenberger, Development Review Manager

15.30.280 Steep Slope Hazard Areas – Development Standards and Permitted Alterations

A development proposal on a site containing a steep slope hazard area shall meet the following requirements:

A. A minimum buffer of fifty (50) feet shall be established from the top, toe and along all sides of any slope forty percent (40%) or steeper. The buffer shall be extended as required to mitigate a landslide or erosion hazard or as otherwise necessary to protect the public health, safety and welfare. The buffer may be reduced to a minimum of ten (10) feet if, based on a special study, the City determines that the reduction will adequately protect the proposed development and the sensitive area. For single-family residential building permits only, the City may waive the special study requirement and authorize buffer reductions if the City determines that the reduction will adequately protect the proposed development and the sensitive area;

B. Unless otherwise provided herein or as part of an approved alteration, removal of any vegetation from a steep slope hazard area or buffer shall be prohibited, except for limited removal of vegetation necessary for surveying purposes and for the removal of hazard trees determined to be unsafe according to tree selection rules promulgated pursuant to this chapter. Notice to the City shall be provided prior to any vegetation removal permitted by this subsection;

C. Vegetation on steep slopes within steep slope hazard areas or their buffers which has been damaged by human activity or infested by noxious weeds may be replaced with vegetation native to the region pursuant to a vegetation management plan approved by the City. The use of hazardous substances, pesticides and fertilizers in steep slope hazard areas and their buffers may be prohibited by the City;

D. Alterations to steep slope hazard areas and buffers may be allowed only as follows:

1. Approved surface water conveyances, as specified in the Surface Water Design Manual, may be allowed on steep slopes if they are installed in a manner to minimize disturbance to the slope and vegetation;
2. Public and private trails may be allowed on steep slopes if they receive site-specific approval by the City, as guided by the construction and maintenance standards in the U.S. Forest Service "Trails Management Handbook," FSH 2309.18, June 1987, as amended, and the "Standard Specifications for Construction of Trails" (EM-7720-102, June 1984, as amended). Under no circumstances shall trails be constructed of concrete, asphalt or other impervious surfaces which will contribute to surface water run-off, unless such construction is necessary for soil stabilization or soil erosion prevention or unless the trail system is specifically designed and intended to be accessible to handicapped person(s);
3. Utility corridors may be allowed on steep slopes if a special study shows that such alterations will not subject the area to the risk of landslide or erosion;

4. Limited trimming and pruning of vegetation may be allowed on steep slopes pursuant to an approved vegetation management plan for the creation and maintenance of views if the soils are not disturbed and the activity is subject to administrative rules; and

5. Approved mining and quarrying activities may be allowed; and

E. The following are exempt from the provisions of this section:

1. Slopes which are forty percent (40%) or steeper with a vertical elevation change of up to twenty (20) feet if no adverse impact will result from the exemption based on the City's review of and concurrence with a soils report prepared by a geologist or geotechnical engineer; and

2. The approved regrading of any slope which was created through previous legal grading activities. Any slope which remains forty percent (40%) or steeper following site development shall be subject to all requirements for steep slopes. (Ord. 93-1036 § 21; Ord. 92-1041 § 1)