

**CITY OF SEATAC  
PLANNING COMMISSION**

**Minutes of February 19, 2013**  
**Regular Meeting**

**Members Present:** Daryl Tapio, Chairman, Roxie Chapin, Vice-Chair, Jim Todd

Members Absent: Tom Dantzler (excused); Joe Adamack, (excused)

**Staff Present:** Joe Scorcio, Community and Economic Development Director; Mike Scarey, AICP, Senior Planner; Albert Torrico, Senior Planner; Anita Woodmass, Associate Planner

**1. Call to Order:**

Chairman Tapio called the meeting to order at 5:35 p.m.

Prior to approval of the minutes, Mr. Scarey introduced new Community and Economic Development Director Joe Scorcio, who had started on the job just that morning. Mr. Scorcio introduced himself to the Commission, and outlined some of the highlights of his 30-plus-year planning career, including his most recent experience managing the development of the Chambers Creek properties in University Place, Pierce County.

Mr. Scarey also reminded the Commission that the March 5 Planning Commission Mtg. will begin at 6:00, not 5:30, to accommodate a Comprehensive Plan Open House from 5:00 to 6:00.

He also noted that the City is looking into posting the audio recordings of Planning Commission meetings on the City's website. Technically, the system to do that is not set up yet, but staff wanted to let the Commission know that this is in the works, and provide the opportunity to express any comments or concerns the Commission might have about that. Staff will notify the Commission before this is implemented.

The Commission asked to be kept informed about when the Urban Land Institute Technical Assistance Panel (ULI TAP) would be presenting its report to the City Council.

**2. Approve Minutes of the February 5, 2013 Meeting:**

Commission Chair Tapio noted that he had prepared some edits to the draft minutes that were included in the Commissioners' packets, and had emailed them to Mr. Scarey. Mr. Scarey had then created a Revised Draft Minutes which he had emailed to the Commissioners. Those were reviewed and a couple of grammatical and typographic errors were noted. Then on a motion by Chapin, 2<sup>nd</sup> by Todd, the February 5, 2013 meeting minutes, as amended, were moved and accepted by a 3-0 Commission vote.

3. **Old Business:** None

4. **New Business:**

A. **Discussion to Outline a Letter from the Commission to the City Council about the City Center Park-and-Fly Code**

Chairman Tapio began by stating that he would like to limit the scope of the letter to talking about the process that was used to create the park-and-fly code, ways to improve that process, and for the letter to be respectful and professional.

He then went on to summarize the history of the Zoning Code Update project. As part of describing that history, Councilmember Rick Forschler, who was present at the meeting, Commissioner Chapin and planners Scarey and Woodmass provided some details from their recollections of the process. A summary of that history follows:

- Approximately three years ago the Zoning Code Update Ad Hoc Committee was formed. The committee included business owners, property owners, citizens, and two Councilmembers as co-chairs: Ralph Shape, who was Mayor at that time, and Gene Fisher, who was Deputy Mayor at that time;
- The project initially had a broader scope, covering the update of the entire Zoning Code;
- The Zoning Code had already been rewritten under the direction of former Planning Director, Steve Butler. Then, Council decided to form the Ad Hoc Committee to review the Zoning Code.
- Approximately a year and a half into the project, the focus shifted to the section of the Code regulating park-and-fly development in the City Center. There was some discussion about how that came about, but no firm recollections. [Subsequent to the meeting, staff research confirmed that that shift in focus took place during the time when the Council was reconsidering the vision for the SeaTac/Airport Station Area in a series of “Special LUP Meetings” that were attended by the full Council from June to September, 2010. At that time, Council directed the AD Hoc Committee to narrow their focus to address the City Center park-and-fly regulations.];
- Staff stated that their direction to work on the parking code came from the City Manager;
- When the revised City Center park-and-fly code was initially completed, it contained two models that were addressed in a SEPA determination. That determination was appealed by two parties, one of which had been an Ad Hoc Committee member;
- The Ad Hoc Committee revised their recommendation to remove Model 2 and proceed with Model 1 and the appeals were subsequently dropped;
- That revised proposal was reviewed in a separate SEPA process for which an outside consultant was retained to act as the City’s SEPA Responsible Official for that project.
- Three comment letters were received but no appeals were filed;
- That proposal went forward with a public hearing and then to Council and was presented numerous times at Study Sessions and a special Council Meeting;
- In the final Council Study Session Councilmembers stated that the proposed code was not consistent with their vision. However, the SEPA review found that the code was

consistent with the Comprehensive Plan policies [after the City Center road standards were re-instated].

It was noted here by several speakers that Council had been briefed numerous times at Study Sessions, workshops and special meetings during the course of the park-and-fly code's development, but that there were no indications that the Council was not satisfied with the direction staff, the Ad Hoc Committee, and Planning Commission were taking. There were no suggestions from Council during any of the update meetings that suggested changing the direction of the process, the review or the content. Only at the last meeting after considerable time and effort went into the project did the Council raise objections and decide not to move forward with the draft code.

During the discussion recalling the project's history, both Doris Cassan and Earl Gipson interjected comments:

- Doris Cassan: Our representative on the Ad Hoc Committee spent countless hours going through the entire Zoning Code;
- Earl Gipson:
  - There were development projects pending, which is why the focus shifted to the park-and-fly code.
  - Airport Manager Mark Reiss recently stated at a chamber of commerce meeting that the Port was opposed to the proposed City Center park-and-fly code, and noted that the Port is a direct competitor with the City for park-and-fly business. Mr. Gipson feels that, as a Port employee, Mayor Anderson has a conflict of interest and should recuse himself from discussions about the park-and-fly code.
  - The project was sidetracked when one of the members of the Ad Hoc Committee disagreed with the majority decision of the committee and appealed the first SEPA determination.

Mr. Todd stated that we should ask for better guidance for major projects next time from Council.

Councilmember Forschler stated that he knew of at least two projects that were stalled due to Council decisions. One involved uncertainty over the road layout on the Gordon Tang property, which resulted in the hotel operator pulling out of the project. Another involved the Cassan mixed-use project, which resulted in several lost hotel companies. With the uncertainty the companies can't wait and move on to other opportunities. He also stated that the stalled projects have led to poor relations between the City and developers.

Mr. Tapio stated that a broader issue is the Council may have an idealistic and vague vision of Transit Oriented Development (TOD) in the City Center and that a property owner along with their lender may not be able to reach agreement with the Council. It may be that this area is not like other potential TOD areas, being next to a major international airport. He referenced the Street Sense study that was done a few years ago, which found that the area's potential for retail and residential uses was much less than what the City expected to find along with other major obstacles. A property owner may enter into an expensive and time-consuming Development Agreement negotiation process ultimately unable reach agreement with the Council.

Councilmember Forschler recalled the experience several developers have had trying to negotiate with the Tukwila City Council for the Tukwila Village project at IB/144<sup>th</sup>. Sabey Corp. spent significant time and energy, prepared architectural plans and were ultimately unable to reach agreement with the Council. He stated that the market should likely be the driver for development.

Several speakers commented that discussion and decisions on significant issues should be held in the council chambers. If private meetings are held by councilmembers the information and arguments should be brought back to the council chambers and discussed in an open public meeting. Opportunity for discussion should be allowed to consider any new information.

It was decided by consensus of the Commissioners present to go forward with drafting a letter to Council, and that Commissioner Adamack, having volunteered to do so, would work with Commission Chair Tapio to draft the letter. Mr. Scarey confirmed that only two Commissioners would be able to work on drafting the letter without violating the Open Public Meeting requirements.

For the remaining Zoning Code review going forward there was discussion that there are over 1000 comments from the Ad Hoc Committee, staff, and citizens. Planning this effort will be project in itself. Breaking this into manageable chapters and starting with less controversial sections may build momentum for the project.

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

None

**6. Community & Economic Development Director's Report:**

See notes prior to approval of the minutes, above.

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

None

**8. Adjournment:**

By the consensus of the Commission, the meeting was adjourned at 6:43 p.m.

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