

PLANNING COMMISSION
Minutes of January 28, 2008 , Meeting

Members Present: Rick Lucas, Rick Forschler, Roxie Chapin

Staff Present: Steve Butler, Planning Director; Jack Dodge, Principal Planner; John Schelling, 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 January 14, 2008, Meeting:

Approval of the January 14, 2008 minutes was tabled until February 11.

3. Public Hearings:

A. Staff Presentation on Proposed Zoning Code Amendments Regarding Tree Retention in Single Family Zones and Definitions for “Automotive Repair”, “Automotive Service Center”, “Large Vehicle”, and “Small Vehicle”

John Schelling provided an overview by way of a PowerPoint presentation of current regulations as they pertain to tree retention, issues to be addressed, highlights of projects developed under existing regulations, and the proposed code amendments.

Current Regulations as They Pertain to Tree Retention

A “significant tree” is defined as any existing healthy tree which when measured 4’ above grade has a minimum diameter of 8” for evergreen trees and 12” for deciduous (excludes poplar trees).

Existing exemptions from tree retention provisions include: (1) Removal of one or more trees by the owner of a single family property on which an existing home is located. (2) Areas devoted to access points and sight clearance at intersections. (3) Areas cleared for required roads, utilities, sidewalks, trails, or storm drainage systems. (4) Trees within 15’ of an existing or proposed structure. (5) Subdivisions and short plats are exempt from perimeter landscape portions.

Existing tree retention requirements include: (1) All significant trees shall be retained in perimeter landscape areas unless they constitute a safety hazard (short plats exempt). (2) Excluding the required perimeter landscape area, at least 12% of the significant trees on the site interior shall be retained. (3) No clearing of a site is permitted until approval of a tree retention and landscape plan.

Issues to be Addressed

(1) Trees are removed by single family owners prior to submitting a short plat to avoid retaining them. (2) Owners of new homes developed as part of a short plat remove protected trees because they think property is exempt. (3) Trees to be retained in a short plat are removed during construction because no building envelopes are required. (4) Trees located within setbacks are not retained.

Highlights of Projects Developed under Existing Regulations

Mr. Schelling showed slides of certain short plat and subdivision projects within the City, both before and after development, (including required tree retention plans) to illustrate the various outstanding issues to be addressed.

Proposed Code Amendments

Issues under consideration include: (1) Loophole closures. (2) General clarifications. (3) Proposed enhancements.

A table outlining properties within the City that may be subdivided, both with and without trees, and a corresponding aerial photograph was provided to the Commissioners for their review.

The proposed amendments would close identified loopholes by requiring the following: (1) Owners of developed single family lots of 14,400 square feet or more would obtain a site plan review permit prior to removing significant trees. (2) The building envelope with significant trees and their drip line would be illustrated on the plat. Setbacks could be determined prior to establishing the building envelope, but the retained trees could not be removed.

The proposed amendments would provide clarification by requiring the following: (1) Identify requirements for removal of trees on vacant lots zoned for single family residential use in SMC 15.14 Landscaping. (2) Removal of protected significant trees on newly subdivided lots would be clarified in the exempt section of the Code.

The proposed amendments would enhance current requirements as follows: (1) All healthy, significant perimeter trees would be retained, in addition to the 12% of interior trees. (2) The definition of a “significant tree” will be revised so the threshold of 8” is the same for both evergreen and deciduous trees, and would include stands of smaller trees that offer the same benefits as a single significant tree.

Additional miscellaneous revisions include: (1) Subheadings added to SMC 15.14.020. (2) Purpose statements added to the significant tree retention section. (3) Cottonwood and Alder trees would not be considered significant trees. (4) Agricultural crop producers (tree farms, nurseries) would be exempt from tree retention

requirements. (5) A preferred planting list would be established in SMC 15.14 for trees planted as mitigation for removal of significant trees. (6) A tree report from a licensed professional arborist would be required as part of a new short plat, subdivision, or commercial development application. (12% of existing healthy trees must be retained, trees deemed hazard may be removed; however, if removal puts the number below the required 12%, new trees to mitigate the loss would be required on a 1:0.5” basis.) (7) Landscaping would not be required in the side or rear yard setback in the Community Business in the Urban Center (CB-C) zone if the developer chooses to construct a building with a zero foot setback.

Discussion was held about potential negative impacts of requiring developers and property owners to submit a plan including the building envelope and tree retention plan (including driplines) as part of the subdivision process; the significant tree replacement ratio being too restrictive; the City absorbing the cost of an arborist (a budget amendment is being considered); and whether or not the proposed amendments may result in legal challenges.

John Schelling explained that an approved tree retention plan covenant would run with the land, and that as properties are developed over time, each is required to comply with regulations in place at the time.

Jack Dodge reviewed the proposed revisions and new definitions regarding automotive repair, automotive service center, and large and small vehicles as follows:

- Section 15.10.067 Automobile Repair – Language would be revised to allow repair on small vehicles only (allowed in Community Business, Aviation Business Commercial, and Neighborhood Business zones).
- Section 15.10.074 Automotive Service Center – Language would be revised to allow service on small vehicles only (allowed in Community Business, Aviation Business Commercial, and Neighborhood Business zones).
- Section 15.10.067.3 Large Vehicle – A new definition for vehicles of 16,000 gross weight or greater (large vehicle repair allowed only in the Industrial Zone).
- Section 15.10.670.5 Small Vehicle – A new definition for vehicles of 16,000 gross weight or smaller.

Mr. Dodge indicated that, to his knowledge, there were no large vehicle repair facilities currently operating within the City in zones where they would be prohibited under the proposed amendments. If there were, however, they would be considered legal non-conforming (which could be continued if the business was sold and the new owner operates the business as is).

Discussion was held about businesses that repair motor homes being negatively impacted. It was agreed that most motor homes fall under the 16,000 gross weight limit.

B. Public Hearing on, and Possible Recommendation to City Council about, Proposed Zoning Code Amendments Regarding Tree Retention in Single Family Zones

The Chair opened the public hearing at 6:05 p.m.

Earl Gipson, 17050 51st Avenue South: Mr. Gipson directed the Commission's attention to slide 17 of the PowerPoint presentation and stated he lives just off the map, directly behind the property that was cleared prior to a short plat application being submitted. Within approximately three days the entire property was cleared, and a tree was dropped on his house. He believes the loophole allowing this should be closed to prevent those who circumvent the standards from causing further damage within the City. Mr. Gipson is experiencing water buildup on his property because the level of the land on an adjacent new lot was raised and a wetland buffer was encroached upon. He provided pictures that he took during the clear cutting process which took place in July.

Discussion was held about what steps the City may have taken, including potential code enforcement action or not allowing a short plat application to be submitted.

John Schelling explained that unless it is determined that a wetland buffer was encroached upon (this is being examined by the City and mitigation may be required), or that a grading permit should have been applied for, the cutting was legal and the City has no recourse. If a site plan review had been required, this situation could have been avoided.

Steve Butler advised that the tree replacement ratio mitigation would likely be two to one (based on caliper) for illegal activity, but only 1:0.5" in situations where leniency is warranted.

Daryl Tapio, 16833 40th Lane South: Mr. Tapio suggested that the City could have taken action in Mr. Gipson's case because clearing and grading was done on the property without a permit. Mr. Tapio owns several houses and has been through the City's short platting process numerous times. He reviewed the tree retention ordinance and has a number of issues and concerns. First is relating to the two to one replanting schedule (based on caliper) having a significant impact on the project, i.e. being required to plant more trees than the property could support. The second issue is the tree canopy, the proposed perimeter tree and canopy requirements plus setbacks would make the allowable building footprint merely a sliver. Third is allowing the Planning Department authority to determine whether or not a tree within a prospective building footprint must be saved; he believes the property owner should

retain that authority. Mr. Tapio stated that he had numerous additional issues with the proposed amendments, but that his time allotment had expired.

Ben Newton, 4463 South 175th Street: Mr. Newton is a superintendant with a development company that does a lot of developing in SeaTac. He reviewed the proposed amendments and has several concerns. First is the purpose statement that says the requirements are necessary to maintain and protect property values and reward tree protection efforts by granting flexibility of certain other development requirements. He believes that the proposed amendments actually reduce property values of owners of lots of more than 14,400 square feet, and potentially that of neighbors as it would be harder to develop and sell new lots. Mr. Newton believes his own property value has been increased by construction of new homes around him and that the neighborhood has been improved. Older citizens who have owned property for many years count on their land value as part of their retirement. Further, property owners who have planted many trees may find they are a detriment when trying to sell or develop part of their land as a result of the stringent requirements outlined in the proposed amendments. Mr. Newton stated he had additional concerns, but his time allotment had expired.

Tina Milton, Puget Sound Energy: Puget Sound Energy is requesting the Commission consider categorically exempting utility electrical substations as permitted under a Conditional Use Permit from Section 15.14.020 B (Authority and Application). PSE is also requesting that under Section 15.14.160 E (Retention of Significant Trees), that proposed utility electrical substations be exempt.

George Fernald, 2431 South 133rd Street: Mr. Fernald was concerned about the trees on his property being grandfathered because he wants to keep them. He was advised that the regulations only apply to cutting of trees.

Hearing no further requests to speak, the Chair closed the public hearing at 6:35 p.m.

Discussion was held about prohibiting a property owner from building the house of his choice or determining the house location on a lot because of the proposed tree retention requirements; the property owner having the right to determine what trees should be cut or saved; replacement ratios being too stringent, it may be more appropriate base replacement on tree for tree rather than caliper; the proposed amendments being too restrictive and too complicated to administer; whether or not tree retention requirements were necessary at all based on potential legal and enforcement implications; potential liability of perimeter trees; potential property rights violations and equal protection issues; loopholes being taken advantage of due to over-regulation, and the original tree retention requirements being revoked in favor of a more incentive-based approach.

A motion was made and seconded to recommend that the City Council not approve the proposed tree retention regulations, but if they do, that the exemptions requested by Puget Sound Energy be implemented and an arborist be added to staff.

A motion was made, seconded, and unanimously passed to recommend that the City Council give the Planning Commission a 60 day extension to provide for development of an alternative proposal.

The Commission requested they be provided with all written comments submitted by Puget Sound Energy and developers.

C. Public Hearing on, and Possible Recommendation to City Council about, Proposed Zoning Code Amendment Related to the Definitions for “Automotive Repair”, “Automotive Service Center”, “Large Vehicle”, and “Small Vehicle”

The Chair opened the public hearing at 7:18 p.m. Hearing no requests to speak, the public hearing was closed at 7:20 p.m.

A motion was made, seconded, and unanimously passed to recommend that the City Council approve the Proposed Zoning Code amendment related to the definitions for “automotive repair”, automotive service center”, large vehicle, and small vehicle as presented.

4. New Business:

A. Overview of Washington’s “Open Public Meetings Act”

Mark Johnsen distributed a booklet on the issue that was prepared by Municipal Research. Mr. Johnsen stated that the legal department’s recommendation is that, to prevent a violation of the Open Public Meetings Act, emails between Commissioners be limited as much as possible. He invited the Commissioners to contact him if they wished to discuss the issue further.

B. Election of Chairperson and Vice Chairperson

Rick Lucas was nominated and elected by unanimous vote as Chair for 2008

Rick Forschler was nominated and elected by unanimous vote as Vice-Chair for 2008.

5. Old Business:

A. Continued Discussion about the Planning Commission’s 2008 Goals

This issue was tabled until the next meeting.

B. Continued Discussion about Establishing Review Criteria for Evaluating Proposed Regulations

This item will be postponed. Staff will research additional criteria for the Commission's review.

6. Detailed Commission Liaison's Report:

None.

7. Planning Director's Report:

Steve Butler advised that meetings in February would be held on the 11th and 25th. Discussion was held about the Commission reverting to a schedule of meeting on the second and fourth Monday of each month rather than the first and third as outlined in the Municipal Code. Mr. Butler will determine what course of action is necessary to achieve the revision.

A community public meeting regarding rezoning options in the Extended South 154th Street Station Area is scheduled for Wednesday, January 30 at the SeaTac Community Center, and all the Commissioners are invited to attend.

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 February 25, 2008, Meeting

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

Staff Present: Steve Butler, Planning Director; Jack Dodge, Principal Planner; Mike Scarey, Senior Planner; John Schelling, 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 February 11, 2008 Meeting:

A motion was made, seconded, and unanimously passed to approve the minutes of the February 11, 2008 meeting as presented.

3. New Business:

A. Initial Discussion about Proposed Zoning Code Amendments regarding Parking Bonus Incentives Program

As a result of an outside inquiry, staff reviewed the City's current bonus parking incentives as outlined within the City Center Standards and determined that amendments were necessary. Jack Dodge reviewed the proposed amendments as follows:

15.35.950 Parking Bonus Incentive Program

- A parking allowance bonus, beyond the maximum parking specified in SMC 15.35.810, will be granted to those developments which provide retail/commercial or service space beyond that required under SMC 15.35.620 or a public benefit...
- Except for hotel/motel uses, one additional parking stall will be awarded for each one hundred fifty (150) square feet of retail/commercial, residential, or service space in addition to the minimum ground floor retail/commercial or service space required under SMC 15.35.620 included on the same site as part of a mixed use development at the time of construction.
- Hotel/motel uses shall be awarded .5 parking spaces per hotel/motel unit, in addition to the minimum ground floor retail/commercial or service space

required under SMC 15.35.620, included on the same site as part of a mixed use development at the time of construction...

The proposed amendments would apply to new projects within the City Center that include a mixed use development and a parking structure. The incentive program would allow developers flexibility and encourage mixed use development as the primary use on the site. City Center Standards allow a 300 stall parking structure set back 100' from the right-of-way. The proposed incentive program would allow one bonus space per 150 square feet of residential, office, or retail space or .5 bonus spaces per hotel/motel unit (over and above the .75 stalls required per unit for hotel guests).

Discussion was held about how bonus parking stalls for use as commercial parking would be calculated for hotels; potential traffic congestion generated as a result of the commercial parking incentive (particularly in combination with residential/commercial/retail/hotel); and reducing the proposed incentives further, possibly to one additional stall per 250 or 300 square feet.

A public hearing on this issue is tentatively scheduled for March 10.

It was suggested that, for discussion purposes, additional columns be added to the bonus calculation chart to reflect the Commission recommendation of one bonus stall per 250/300 square feet of residential/office/retail, and one column for base parking stalls required.

4. Old Business:

A. Continued Discussion about the Proposed Draft K&S Development Agreement

Mark Johnsen distributed the latest draft of the development agreement and reported that all major outstanding issues have now been resolved. K&S will be allowed 20' commercial space depth along the "North South Connector" road, all other commercial space depths on the site will be at 30'. Medical uses will be allowed on the site; however, other non-pedestrian-friendly uses such as dental labs will not be allowed. Further, K&S will pay traffic impact fees at today's rate (and are therefore entitled to maintain the "North South Connector" as a private road).

Discussion was held about the terms of the development agreement running with the land and K&S retaining the ability to either sell or bring in partners.

Mr. Johnsen stated that a public hearing before the Council is scheduled for Tuesday, February 26 and that he would be happy to advise the Council of any Planning Commission comments or concerns.

A motion was made, seconded, and unanimously passed to recommend that the City Council approve the proposed K&S Development Agreement as presented to the Commission on February 25, 2008 and marked as Exhibit F.

B. Continued Discussion about Rezone Options for the Extended S. 154th St. Station Area, Including Materials to be Presented at the February 27 Community Meeting

Mike Scarey stated that staff held a public meeting at the North SeaTac Community Center on January 30 to get input from the community and affected property owners about a process to implement rezones associated with the Extended South 154th Street Station Area which includes the South 154th Street Station Area plus the “Amendment Ten” area from the 2006 Comprehensive Plan Amendment process.

It was the opinion of the majority of people attending the meeting that the City should address properties currently zoned for non-single family use eligible for “upzone” separately. Therefore, the following options were developed by staff:

- **Part 1** - Options for Areas Zoned for Non-Single Family Uses: The City could offer City-sponsored rezones or continue the current process of individual rezones.
- **Part 2** - Options for Areas Zoned for Single Family Uses: The City could offer City-sponsored rezones for all or specific subareas, set specific criteria for “group decision” rezones of specific subareas, or continue the current process of individual rezones.

The above referenced options will be presented at the second community meeting scheduled for Wednesday, February 27 at the North SeaTac Community Center. The Land Use & Parks Committee, along with staff, recommends City-initiated rezones for properties that do not currently carry single family zoning (Part 1).

Concern was raised that attendance at the community meeting was too low to get sufficient input to make final decisions, and that many of the citizens who attended did not live or were not property owners in the affected areas. Mr. Scarey advised that letters had been mailed, and staff had actually called all the affected properties to advise them of the February 27 community meeting and how important their issues and concerns were to the City.

C. Continued Discussion about the Planning Commission’s Tree Retention Regulatory Approach

John Schelling stated that, based on the Commission’s request for additional time to develop a tree retention plan that was incentive-based, and using input from Commissioner Forschler and code requirements from other jurisdictions, he had prepared various possible incentives for discussion purposes as follows:

- **Tree Retention in Subdivisions and Short Subdivisions:** (1) Reduced front/rear setbacks; (2) Increased building height.

- **Tree Retention in Multi-Family Residential, Commercial, and Industrial Projects:** (1) Reduced front/rear setbacks; (2) Increased building height; (3) Increased density for multi-family residential sites.
- **Code Additions for Tree Retention Incentives in Subdivisions and Short Subdivisions:** (1) Retention of 15% or more of significant trees (outside of environmentally sensitive areas and associated buffers) may reduce the required front or rear yard setback and increase the building height by up to 10% of that required by the underlying zone; (2) Retention of 30% or more of significant trees (outside environmentally sensitive areas and associated buffers) may reduce the required front or rear yard setback and increase the building height up to 20% of that required by the underlying zone.
- **Code Additions for Tree Retention Incentives on Multi-Family, Commercial, and Industrial Sites:** (1) Retention of 15% or more of significant trees (outside of environmentally sensitive areas and associated buffers) may reduce the required front or rear yard setback and increase the building height by up to 10% of that required by the underlying zone, and be permitted a 3% density bonus; (2) Retention of 30% or more of significant trees (outside of environmentally sensitive areas and associated buffers) may reduce the required front or rear yard setback and increase the building height by up to 20% of that required by the underlying zone, and be permitted a 5% density bonus.
- **Financial Guarantee for Retention of Incentive Trees:** Prior to recording of subdivisions or short subdivisions and building permit approval for other applicable projects, the applicant shall provide a financial guarantee in the form of a cash set aside for the value of the incentive trees that will be retained. In determining the value of the incentive trees to be retained, a certified professional arborist shall use the methodology in the current edition of the International Society of Arboriculture’s “Guide for Plant Appraisal”.
- **Removal of Incentive Trees:** Any tree preserved or retained may only be removed if the tree dies and/or is deemed hazardous by the City Manager or designee in consultation with the City’s certified consulting arborist. The developer shall record a deed restriction or covenant which may be removed or considered invalid if a tree preserved in accordance with this section should die or be removed as a hazardous tree.

Staff is supportive of incorporating incentives; however, a purely incentive-based approach may not accomplish tree retention. Utilizing a combination of minimum standards along with incentives provides options for property owners and developers, while meeting the City’s policy of retaining trees.

Increased building lot coverage and lot size averaging were not included in the proposal because SeaTac currently allows access easements, as well as sensitive areas and associated buffers, to be included in lot area. Reduced side yard setback requirements were also not included due to fire and life safety issues.

If the City is to allow a departure from the standard such as reduced setbacks or increased building heights in exchange for tree retention, it is important to have standards in place to ensure that once the project is completed, the tree(s) are not cut down. A financial guarantee by way of a cash set aside would ensure compliance.

Lengthy discussion was held. The Commission is agreed that the proposed amendments compromise property owners rights to develop their own property, would be a financial burden to property owners and developers, caliper-based replacement of trees should be changed to tree for tree replacement, the 12% interior tree retention in addition to the perimeter tree retention requirements are unreasonable, the proposed amendments go way beyond closing the loophole to eliminate clearcutting, and the incentives in addition to the proposed amendments is unacceptable.

It was suggested that both the current tree retention requirements and the proposed amendments be eliminated, but current retention requirements could be workable with the addition of the incentives; a time limit should be attached to the financial guarantee to ensure equal protection for all property owners and that as a penalty for the cutting of significant trees before the time limit expires, the cash set aside could be used to plant additional trees either on the subject property or elsewhere within the City (it was noted that the financial guarantee requirements may tie up a developer's resources thereby creating a financial burden); and that the City develop landscaping requirements for single family projects.

Mr. Schelling explained that some jurisdictions have standards that require every single family lot to have a certain number of trees, either through retention or planting. The Commissioners were in favor of this approach. The comments and concerns from tonight's discussion will be formulated into an amendment proposal for the Commissioners to review at their next meeting.

Daryl Tapio was invited to speak. He expressed concern about arborists appraising trees so high that a cash set aside would be a financial burden, and that the potential time span between short subdivision approval and development of a site could also be a financial burden to property owners and developers. Mr. Tapio further stated that as property owners subdivide and agree to a tree retention plan, they may neglect to take into consideration the configuration and footprint of the future home to be built on the site.

D. Formal Vote on Recommending to the City Council a Planning Commission Bylaws Amendment that would Change the Commission's Meeting Dates to the Second and Fourth Mondays of Each Month

A motion was made, seconded, and unanimously passed to recommend City Council approval of amending Article 6.1 of the Planning Commission's Bylaws to state, "Regular meetings are generally held the second and fourth Monday of each month, except when the Planning Commission sets an alternative meeting time, for the expressed purpose of conducting business and taking formal action. Agendas are issued and the proceedings of the meetings are recorded and published in the form of adopted meeting minutes."

It was agreed that upcoming meetings would be held as follows: March 10, March 24; April 14, April 28; May 12.

5. Detailed Commission Liaison's Report:

Commissioner Dantzler stated that he would have a report after attending the next SR509 Steering Committee meeting. Discussion was held about the current status of the project, status of property acquisition, and funding issues.

6. Planning Director's Report:

Steve Butler reported that a special Land Use & Parks Committee meeting was scheduled for Thursday, February 28 at 5:00 pm in the Council Chambers to discuss a potential development moratorium because of flooding in the area between South 166th & 177th Streets to 51st Avenue South.

The next Planning Commission meeting is scheduled for March 10. Rick Lucas and Tom Dantzler will be re-appointed to the Planning Commission at tomorrow night's City Council meeting. Appointment by the mayor of a new Commissioner is pending Mike Siefkes' written resignation.

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

None.

8. Adjournment:

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

PLANNING COMMISSION
Minutes of March 10, 2008 Meeting

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

Staff Present: Mike Scarey, Senior Planner; John Schelling, 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 February 25, 2008 Meeting:

A motion was made, seconded, and unanimously passed to approve the minutes of the February 25, 2008 meeting as presented.

3. Public Hearing:

A. Staff Presentation on Proposed Zoning Code Amendments Regarding Parking Bonus Incentives Program

John Schelling reported that the current City Center Standards provides for a parking allowance bonus to developments, including hotels, of one space per twenty-five square feet of commercial/retail, residential, office, or service use provided beyond the maximum parking required (typically used for park and fly). The revised incentive program would allow one space per one hundred-fifty square feet of commercial/retail, residential, office, or service use provided beyond the maximum parking required. Hotel/motel uses would be allowed .5 parking spaces per hotel/motel unit, in addition to the minimum ground floor retail/commercial or service space required included on the same site as part of a mixed use development. At the last meeting, the Planning Commission requested that staff provide charts outlining the calculations for bonus parking, base parking, and required parking using one space per two hundred square feet, one space per two hundred-fifty square feet, and one space per three hundred square feet.

Discussion was held about the number of bonus park and fly parking spaces that would be granted, and that one space per 600 square feet may be appropriate to minimize potential traffic and circulation impacts; hotels using parking spaces for park and fly instead of for hotel/convention/meeting/restaurant guests; negative impacts to existing parking lot businesses; code enforcement; prohibiting the use of bonus parking spaces for park and fly; and mixed-use development being difficult to site within the City Center.

Mike Scarey explained that the incentive program was created as part of the City Center Plan to stimulate the market for mixed-use development using the existing

market for park and fly. Properties within the City Center that would allow park and fly were assigned the zoning of Community Business in the Urban Center (CB-C) which would generate the most revenue as the highest and best use of the property. Therefore, land values are driven by park and fly because no other use generates the same level of income. As a result, a project without park and fly may not be viable.

Commissioner Dantzler stated that the spirit of allowing the bonus parking incentive program was to offset the additional cost of parking structures because surface parking is prohibited within the City Center.

B. Public Hearing and Possible Recommendation to City Council on Proposed Zoning Code Amendments Regarding Parking Bonus Incentives Program

The Chair opened the Public Hearing at 6:25 p.m.

Hearing no requests to speak, the Chair closed the Public Hearing at 6:26 p.m.

Jed Goniou, representing MasterPark, was invited to speak. Mr. Goniou stated that MasterPark would support aggressive restrictions on parking bonuses.

Discussion was held about potential impacts of a project being submitted to the City under the current incentive program; the viability of mixed-use development within the City Center if the incentive program was eliminated (staff will consult with the City's Economic Development Manager regarding market conditions and report back to the Commission); market conditions possibly changing as a result of fuel prices; the current bonus incentive program not generating the desired effect within the City Center; creating a tourist destination or conference center in SeaTac; and enacting a moratorium on the bonus incentive program to allow the Commission additional time to develop a recommendation (staff will meet with the City Attorney's office to determine the most effective course of action).

For discussion purposes, staff was asked to use two businesses within the City, and report back at the next meeting how the parking bonus incentives would be implemented.

A motion was made to recommend a moratorium, or other suitable vehicle for preventing the use of the bonus incentive program as currently stated, until the Planning Commission has an opportunity to conduct further review and arrive at a better alternative. The motion was seconded and unanimously passed.

4. New Business:

A. Status Report on the City's Shoreline Master Program Update Process and Selection of a Planning Commissioner to Serve on the Shoreline Citizen Advisory Committee

Discussion was held, and it was agreed that Roxie Chapin would be the Commission representative on the Shoreline Citizen Advisory Committee.

5. Old Business:

A. Continued Discussion about Rezone Options for the Extended S. 154th St. Station Area, Including a Summary of the February 27 Community Meeting

Kate Kaehny advised that the second community meeting, held at the North SeaTac Community Center on February 27, was well attended (particularly by property owners living in the affected areas). There was consensus supporting non-single family areas being rezoned through a City-initiated process. Rezone options for properties zoned single-family were discussed, most supported a City-initiated version, but there were a lot of questions and concerns about potential conditions. Therefore, staff determined further discussion with members of the community who live in the rezone area would be appropriate.

Based on input from both meetings, staff has developed a draft rezone adoption schedule. City Council action is anticipated on June 10 for the rezone process relating to non-single family uses, and City Council action is anticipated on July 22 for the rezone process relating to single family uses.

B. Continued Discussion about the Planning Commission's Tree Retention Regulatory Approach

John Schelling stated that staff's recommendation will be presented upon completion. He reviewed options suggested previously by the Commission as follows:

- Option 1 – Allow removal of all trees on a site prior to short subdivision, but require a minimum number of new trees that would grow quickly to be planted on each new lot.
- Option 2 – Keep existing regulations and add incentives for retention of additional trees.
- Option 3 – Replace existing regulations with an incentive-based approach.
- Option 4 – Repeal all existing tree retention regulations.
- Option 5 – Require retention of significant trees until properties over 14,400 square feet are short subdivided, allow retention of 12% of all significant trees (may include perimeter trees), mitigate loss of significant trees on a one-to-one replacement basis.

Discussion was held, and it was agreed that Option 1 provided property owners the most flexibility.

Mr. Schelling asked for input regarding whether or not a property owner would be required to replace a tree that was cut down years after the fact, as well as a possible threshold whereby legal nonconforming properties would be required to comply with

the new tree retention requirements (staff was directed to provide various possibilities in a “menu” format).

Discussion was held about requiring a given number of trees on all properties over a certain size, with property owners free to remove any tree but requiring replacement with a tree that would grow to a certain size within a certain timeframe; the front yard setback (20’) and rear yard setback (15’) being sufficient area to plant the required number of trees; and the cost to remove trees, and the potential for clear cutting based on the premise that all the trees may be cut down free in return for the wood.

6. Detailed Commission Liaison's Report:

Commissioner Dantzler attended the most recent 509 Steering Committee meeting, and reported that the state legislature had pulled all the funds from SR 509 to be used for SR 520. The state is apparently concerned about right-of-way it has purchased potentially being consumed by light rail. It was suggested that the City of SeaTac and the Port of Seattle may be able to utilize a portion of that corridor as a south access; however, a Port representative at the meeting stated the Port was not looking at any particular option at this time.

Commissioner Dantzler has been on the Steering Committee since its inception in 1987. The committee was appointed to create a south access from the airport to I-5. Numerous studies were done, and it was determined that the SR509 project would be combined with the south access. In the early 1980’s, the Port Commission agreed that when the airport reached 25 million passengers a year, the Port would fund south access (the airport is currently at 32 million passengers a year). The Port then agreed to contribute \$200 million to the SR509 project if it connected with the south access. The current Interlocal Agreement between the City and Port states that it is not mandated that the Port construct a south access, but that studies would be conducted to reach a reasonable, fair approach to a connection between the airport and I-5. Over the years, private property owners have invested millions of dollars into various aspects of the SR 509 and south access (28th/24th Avenue) and may now receive no benefit from their investments.

It was suggested that a letter from the Planning Commission outlining their concerns be distributed to appropriate state legislators and Port Commissioners. Letters from the SeaTac City Council and the Chamber of Commerce may also be appropriate. Additional suggestions included: (1) Language from the 2008 King County Comprehensive Plan be used that states it is inappropriate for a community to bear an unfair percentage of the cost for critical regional facilities such as airports; (2) The media be notified; and (3) A presentation on this issue be scheduled for the next Chamber luncheon.

A new committee to replace the 509 Steering Committee will be formed. A motion was made, seconded, and unanimously passed to appoint Commissioner Dantzler as the Planning Commission liaison to the new replacement committee.

Commissioners Forschler and Chapin attended the February 28 Special Land Use & Parks Committee meeting regarding a potential development moratorium. Property owners in the affected areas are experiencing flooding as a result of development. A segment of those attending were in favor of the City resolving the issue rather than implementing a moratorium; however, others were in favor of the moratorium.

7. Planning Director's Report:

None.

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 April 14, 2008, Meeting

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

Staff Present: Steve Butler, Planning Director; Jack Dodge, Principal Planner;
Mike Scarey Senior Planner; John Schelling, Senior Planner; Kate
Kaehny, Associate Planner; Tina Rogers, Assistant City Manager;
Dale Schroeder, Public Works Director

1. Call to Order:

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

2. Approve Minutes of March 10, 2008, Meeting:

A motion was made, seconded, and unanimously passed to accept the minutes of the March 10, 2008 meeting as presented.

Earl Gipson requested an opportunity to speak to the Commission and was granted three minutes. However, he was asked not to speak to the appeal process as this is not the Planning Commission's role; those comments would be more appropriately directed to the City Council.

Earl Gipson, 17050 51st Ave. S: Mr. Gipson stated he would limit his comments to concerns about the City's apparent failure to distribute Notice of Decisions (on subdivisions) to Parties of Record over a four year period which denies affected parties the opportunity to exercise their right to appeal land use changes. (The Planning Department investigated and found approximately six instances.) Only one appeal of a subdivision has been documented since 1996, and Mr. Gipson believes this reveals a pattern. He requested that the Planning Commission address this issue.

Mr. Gipson was advised that the matter would be reviewed. Staff was asked to provide the Commission with a flow chart outlining procedures and required timelines.

3. New Business:

A. Initial Discussion about a Proposed New Approach to Code Enforcement in SeaTac

Dale Schroeder made a PowerPoint presentation outlining the City's current and proposed code enforcement procedures, as well as examples of the type of violations the City's two code enforcement officers encounter.

Code enforcement covers a broad spectrum of issues including property maintenance, building and sign code violations, vegetation, sensitive areas, and health and safety issues. Staff was instructed by the City Council to review the current code enforcement process for ways to increase compliance, address violations in a more timely manner, and develop more consistent procedures.

The current process includes:

- “Knock & Talk” –A code enforcement officer visits the home or business to discuss the violation(s) and schedules a return visit in about two weeks to ensure corrections have been made. (Most issues are resolved at this level.)
- Correction Notices - A written notice is issued detailing the code violations, and steps to bring the property into compliance by a given deadline.
- Stop Work Order or Notice & Order – If the correction is not made in a timely manner, a formal, legalized notice is sent by certified mail, again outlining the specific violations and a timeframe within which corrections must be made.
- Hearing Examiner – At this point, the property owner may choose to take the issue before the Hearing Examiner and challenge the documentation (\$100 fee).

If no resolution has been reached at this point, one of two avenues is taken: (1) Fines are assessed and the matter forwarded to a collection agency. Unfortunately, this process has proved ineffective. (2) The City will abate violations such as property maintenance and junk vehicles and then place a lien on the property to recoup City expenses when the property is sold (this process does not work for issues such as wetland violations).

The proposed process would include the “Knock & Talk”, Correction Notice, and Stop Work/Notice & Order items. If violations are not corrected, a citation would then be issued assessing a fine. The property owner may pay the fine and bring the property into compliance or appear in court before the judge who will issue a judgment. The City’s legal department has recommended the “citation/court/court order” loop be employed several times to establish a history of non-compliance. At that point, the judge may direct the City to abate the property, start criminal proceedings, or take other action as appropriate.

Discussion was held about how often the process leads to a court order (approximately 10 per year); frustrations with the current process; how a property owner would get concerns addressed (code enforcement officer, building official, public works director, city manager, in that order).

The Commission discussed possible avenues for property owners who disagree with the City’s interpretation that a violation of the Zoning Code has occurred. Suggestions

included appointing a volunteer ombudsman or citizen's committee, or hiring a full time ombudsman who would work for all departments and review a multitude of issues, not just code enforcement (King County has such a position). One solution may be to appoint a volunteer for one year, and then conduct a review to determine whether or not a paid position is appropriate.

It was suggested this issue be forwarded back to the Land Use & Parks Committee, along with the Commission's recommendation, for their review and input. The ombudsman/citizen committee issue may need to be resolved separately from, and prior to, the proposed code enforcement process revisions.

B. Discussion of a Draft Letter from the Planning Commission Regarding Funding of the S.R. 509 Extension Project

The Commission directed staff to prepare a letter outlining their concerns that would be sent to appropriate state legislators and Port Commissioners. Steve Butler indicated that this communication would be more appropriate coming from the City Council, and that the City was actively pursuing this issue.

Concern was expressed about private properties negatively impacted by the legislature's decisions, particularly properties purchased for SR 509 right-of-way over a twenty-five year period which now may be resold. The SR509 Extension Project is every bit as important as the SR 520 Expansion Project, and it is important that the City take a tough stance.

Tina Rogers explained that the City had directed its lobbyist to work with the legislators for the 11th and 33rd Districts toward restoring the SR 509 Extension Project funding to at least enable the Washington State Department of Transportation to complete pending purchase obligations. Councilmembers and the city manager travelled to Olympia to meet with the delegation on the City's legislative agenda which includes SR 509 funding. Approximately \$9.7 million was reinstated in the budget for project funding to complete right-of-way purchases, to restore property in the Mansion Hill area, and to advance the I-5/SR 509 first phase design. This design funding makes sure the work on the reduced scope project is properly documented and can be picked up and resumed at a later date. The project will be mothballed until economic conditions are favorable and funds are available for construction.

Discussion was held about the City and Port working together in an attempt to get funding restored so the project could move forward; the Port's obligations to mitigate impacts as the airport grows and additional travelers overwhelm City streets to access the airport; using tolls to generate funds; King County Comprehensive Plan language regarding essential public facilities (including airports) that states, "No single community should absorb in inequitable share of these facilities and their impacts" and whether or not similar language existed in other regional long range planning documents.

Dale Schroeder reported that the City and Port, as outlined in the 2005 Interlocal Agreement, were in the preliminary stages of collectively reviewing alternatives to constructing SR 509 or a transportation corridor from the south into the airport (south access). He was unaware of the Port's position on implementing tolls to raise funds.

C. Initial Discussion about Potential Comprehensive Plan Amendments by the City Council, the Planning Commission, and the Staff

A generalized amendment schedule outlines various tentative timelines from amendment submittal to Council action. Tonight's presentation only includes City-initiated proposed amendments; the deadline for public submittal of proposed amendments is Friday, April 25. All amendment proposals will be presented to the Commission at their May 12 meeting. Mr. Scarey outlined the City-initiated proposals as follows:

Carried over from 2007 Process

- Update Fire Services LOS as appropriate, and if necessary, pending the outcome of a proposed Fire Station Location Study.

Map Amendments

- Remove or expand the Potential Annexation Area (PAA)
- Amend the Land Use Plan map to reflect current Port acquisitions/land exchanges
- Update informational Map 1.4, Existing Land Use Map, with current information

Text Amendments

- Update existing land use information in the Land Use Background Report (refers to the narrative and data associated with Map 1.4 referenced above)
- Amend Land Use Policy 1.2C to improve compatibility between multi-family and single family development
- Amendment Transportation Policy 3.3C to include "transit facilities" in the list of features that should be the focus of pedestrian capacity improvements
- Update the discussion under Land Use Policy 1.2D with reference to the "two large undeveloped areas" because one is now developed
- Amend Policy 1.6A to update adoption date information related to the City-Port ILA

D. Rescheduling of the May 26 Planning Commission Meeting due to the Memorial Day Holiday

The Commission agreed to revise their May and June meeting schedule; meetings will be held on the following dates:

May 12
June 2
June 16
June 30

4. Old Business:

A. Continued Discussion about the Planning Commission's Tree Retention Regulatory Approach

John Schelling stated that there were currently two outstanding issues for the Commission to clarify i.e. a list of activities that would trigger the loss of nonconforming status and additional items suggested by Commissioners. Mr. Schelling made a PowerPoint presentation using four, three lot short plats to illustrate current code allowances, the initial staff recommendation, and two scenarios that could occur based on Planning Commission recommendations.

Discussion was held about the new Commission recommendations making the tree retention requirements more difficult for a property owner to comply with, rather than simplifying the regulations which is their intent. Commissioner Forschler reiterated his preference that all tree retention regulations be eliminated, but that their recommendation as outlined in proposal one, was an adequate compromise.

Further discussion was held about the developer's ability to clear cut the property which may not reflect the preferences of the "end user" owner who will actually live on the property; unethical developers who's bottom line is profit only, with no consideration for the welfare or future of the community; the Planning Commission recommendation including two or three trees required per lot, and whether or not it should focus on tree retention rather than tree replacement; replacement tree size requirements; and potential impacts of allowing reduced setbacks and increased building heights as incentives.

It was agreed that the Commission would revisit their recommendation options following input from the public hearing (tentatively scheduled for May 12). Revisions to the list of actions eliminating legal nonconforming status include: (1) Item number seven will be reworded to indicate that "exterior construction requiring a building permit" would eliminate legal nonconforming status; and (2) Items ten through thirteen will be deleted.

Revisions to the Planning Commission recommendation and the staff recommendation will be presented at the next meeting. Staff was asked to provide a table that clearly outlines current discrepancies.

B. Continued Discussion about a Proposed Zoning Code Amendment to Allow Increased Height for UM Zoned Properties Containing Sensitive Areas

John Schelling stated that the proposed Zoning Code amendment would allow building height to be increased on sites constrained by sensitive areas and their buffers such that achievable density is less than 70% of the allowable.

Staff is currently working with the applicant to resolve numerous issues, including potential impacts if the amendment were approved and applied Citywide. An updated amendment proposal will be presented to the Commission in the near future.

C. Continued Discussion about Rezone Options for the Extended S. 154th St. Station Area

A draft schedule outlines timelines for adoption of rezones in the extended South 154th Street station area, including a Planning Commission public hearing June 23, Planning Commission recommendation July 14, and City Council action July 22. Further, Zoning Code amendments will be adopted concurrently to facilitate appropriate development in the rezoned areas. It has been determined that a joint rezone process will be implemented for areas currently zoned multifamily, commercial, and single family. A companion map further clarifies potential zoning designations.

The Commission asked that information be added to the map i.e. the Riverton Heights Post Office location, and current zoning of properties adjacent to those identified for potential rezoning to UH-UCR (Urban High Density in the Urban Center).

5. Detailed Commission Liaison's Report:

Commissioner Dantzler expressed concern that “mothballing” the SR 509 Extension Project could negatively impact current and future City and Port projects. All the transportation studies done over the years have included the assumption that the SR 509 extension would become a reality. This development may cause the City and Port to be out of compliance with the state’s Growth Management Act. He suggested that the City and Port work together in an attempt to get funds reinstated so the SR 509 Extension project could move forward (and reiterated language from King County Comprehensive Plan regarding communities absorbing impacts from essential public facilities). Commissioner Dantzler further requested that a representative of the City Public Works Department address the Commission regarding this crisis in the near future.

6. Planning Director’s Report:

Steve Butler reported that the upcoming City Council meeting agenda includes discussion about the Potential Annexation Area. The next Land Use & Parks Committee meeting is tentatively scheduled for Wednesday, April 23.

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

Discussion was held about Mr. Gipson's appeal and potential City liability. Steve Butler recommended that, since Mr. Gipson has filed an appeal, it would be advisable that if any Commissioner speaks to Mr. Gipson regarding this issue, that it be made very clear that any opinions expressed are personal and not representing a Planning Commission position.

8. Adjournment:

The meeting was adjourned at 9:15 p.m.

PLANNING COMMISSION
Minutes of May 12, 2008 Meeting

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

Staff Present: Steve Butler, Planning Director; Jack Dodge, Principal Planner; Mike Scarey, Senior Planner; John Schelling, Senior Planner; Kate Kaehny, Associate Planner; Dale Schroeder, Public Works Director

1. Call to Order:

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

2. Approve Minutes of April 28, 2002, Meeting:

This item was tabled.

3. Public Hearing:

A. Staff Presentation on Proposed Zoning Code Amendments Regarding Tree Retention

John Schelling provided an overview of the City's existing tree retention regulations, the proposed staff recommendation, and the proposed Planning Commission recommendation as follows:

CURRENT REGULATIONS

A significant tree is defined as an existing healthy tree, which when measured 4' above grade, has a minimum diameter of 8" for evergreen trees and 12" for deciduous trees (excluding poplars).

Existing exemptions from tree retention code provisions include: (1) Removal of one or more trees by the owner of a single-family property on which an existing home is located; (2) Areas devoted to access points and sight clearance at intersections; (3) Areas cleared for required roads, utilities, sidewalks, trails, or storm drainage systems; (4) Trees within 15' of an existing or proposed structure; (5) Subdivisions and short plats are exempt from perimeter landscape portions (potential setback areas).

Existing tree retention requirements include: (1) All significant trees shall be retained in perimeter landscape area unless they constitute a safety hazard (short plats are exempt); (2) Excluding the required perimeter landscape area, at least 12% of the significant trees on the site interior shall be retained; (3) No clearing of a site is permitted until approval of a tree retention and landscape plan.

Mr. Schelling provided an example of a side-by-side short plat developed by Olympic Development on which more trees were retained than required under current regulations that shows there is still ample room for building pads for houses even while saving 43% of the trees.

Issues with current Zoning Code regulations include: (1) Allow developed single-family properties to be mass cleared before a land use application is submitted; (2) Owners of new homes developed as part of a subdivision remove protected trees; (3) Trees to be retained in a subdivision are removed during construction; (4) Trees located outside developable areas do not have to be retained; (5) Unhealthy trees have been retained due to the lack of an arborist evaluation.

STAFF RECOMMENDATION

(1) Closes loophole to prevent mass clearing of developed single-family lots over 14,400 square feet prior to development; (2) Requires perimeter trees in addition to 12% of interior trees to be retained; (3) Vacant property cannot be cleared until a development application is submitted; (4) Trees protected as part of a subdivision cannot be removed unless deemed a hazard by the City's consulting arborist; (5) Provides incentives (reduced front/rear setback, and increased building height) to encourage additional retention of significant trees; (6) Provides for a tree health assessment by the City's consulting arborist (cost to be covered by the City for short subdivisions); (7) Revise the definition of a significant tree to include all trees over 8" in diameter as measured 4' above grade, and smaller stands of trees grouped together; (8) Exempts agricultural crop uses; (9) Exempts cottonwood and alder trees; (10) May allow City to qualify for the Evergreen Cities Initiative (added points for grant awards).

PLANNING COMMISSION RECOMMENDATION

(1) A minimum of three trees be planted or retained on all single-family residential lots; (2) Removes motivation for mass clearing of vacant or developed single-family lots; (3) Provides "grandfathering" of existing single-family residential lots that do not have three trees; (4) "Grandfathered" property required to bring property into compliance when a building permit is issued for exterior expansions or engineering permit is approved for new impervious surfaces; (5) Provides incentives (reduced front/rear yard setback and increased building height) to foster retention of significant trees; (6) Provides for a tree health assessment by the City's consulting arborist at City cost for short subdivisions; (7) Exempts agricultural crop uses; (8) Exempts cottonwood and alder trees.

Mr. Schelling then provided examples of how current regulations, the staff recommendation, and the Planning Commission recommendation would be implemented on a random short plat. He also provided a chart outlining comparisons between various elements of the staff recommendation and the Planning Commission recommendation.

A presentation to the City Council on the two recommendations is tentatively scheduled for May 27, with potential action on June 10, 2008.

Discussion was held about a letter received from Daryl Tapio of Olympic Development outlining concerns relative to the staff recommended proposed tree retention requirements. They include: (1) The caliper-basis replanting schedules are extremely excessive; (2) All healthy perimeter trees within 5' of a property line must be saved, including the canopy/drip line (perimeter trees have priority over proposed house locations); (3) Grade sets for areas around trees limits development of the site; (4) Cost of replanting trees would be excessive; (5) The City determines what specific trees are to be retained (other factors should be considered); (6) The definition of significant trees increases the number of trees the City wants to control; (7) Property owner's rights are limited; (8) The property owner is liable; (9) Tree covenants for short plats that run with the land forever. The letter also stated that the Planning Commission recommendation is a more reasonable approach, and Mr. Tapio submitted a draft tree ordinance that would be acceptable.

Concerns raised by the Planning Commission included: (1) Potential impacts of the caliper ratio required for replacement/mitigated trees; (2) The new regulations being more restrictive than the existing regulations; (3) Tree canopies limiting development area; (4) grading issues.

Steve Butler stated that the caliper replacement ratio would be an issue only if the property owner did not comply with the tree retention plan agreed to at the time of plat approval.

Discussion was held about potential impacts to subsequent property owners who would be subject to tree retention plans they had not agreed to; that the proposed staff recommendation goes beyond closing the loophole allowing clear cutting of single family lots before application submittal; the City's tree retention requirements should be simple and easy to understand; every single-family residential lot in the City should be subject to the same tree retention regulations; eliminating all tree retention regulations; and the City's liability if trees cause damage.

B. Public Hearing and Potential Recommendation to the City Council on the Proposed Zoning Code Amendments Regarding Tree Retention

The Chair opened the public hearing at 6:23 p.m.

Pam Fernald, 2431 South 133rd Street: Ms. Fernald stated that the proposed regulations were "overkill" and very difficult to understand. She expressed concern about property owners being liable for damage caused by trees they were required to retain, and stated that if the City wanted to close the loophole to eliminate clear cutting, it should just simply be stated.

Commissioner Forschler asked Ms. Fernald the following questions: (1) Under the City's existing tree retention policy, do owners of large lots have greater or lesser

motivation to clear cut their property before subdividing? (2) Would she prefer all tree retention regulations be abolished, the staff recommendation, or the Planning Commission recommendation?

Ms. Fernald replied that she wouldn't personally cut down any of her trees, but a developer may see the issue differently. She would prefer that all tree retention regulations be abolished; that property owners maintain control over their own trees.

Stan Haralson, Puget Sound Energy, business address 1101 Lake Washington Blvd N, Renton: Mr. Haralson stated that he was available to answer questions relative to a letter from PSE sent to the City; his presence tonight is to reiterate that PSE is interested in this process.

In answer to Commissioner Forschler's questions (as outlined above), Mr. Haralson indicated that Puget Sound Energy is not against trees, and their agency has a good working relationship with the City.

Earl Gipson, 17050 51st Avenue South: Mr. Gipson stated he was a victim of the "loophole" in current regulations that allow clear cutting. Mr. Gipson disagrees with the currently proposed regulations, and doesn't believe they are enforceable. He believes both the staff recommendation and the Planning Commission recommendation should be eliminated, along with all current tree retention requirements.

The Chair closed the public hearing at 6:45 p.m.

Discussion was held about potential impacts if all tree retention regulations were eliminated, and how other zoning classifications within the City may be affected; and eliminating all tree retention requirements for properties zoned single family only.

A motion was made, seconded, and unanimously passed to recommend that the City Council approve the Planning Commission's Proposed Tree Retention regulations as presented.

4. New Business:

A. Discussion about the Impacts of the SR 509 Extension Project's Lack of Funding and Upcoming City and Port Transportation Planning Activities

Dale Schroeder reported that the bulk of funds to design and construct the SR 509 extension was included in the RTID proposal that went before the voters in November, 2007; the measure was soundly defeated. As a result, the legislature transferred remaining funds to other projects. They did restore sufficient funds to conclude various right-of-way purchases and wrap up design work to a point where, in ten to fifteen years, the project could be reinstated and engineers could proceed from that point forward.

The 2005 City/Port Interlocal Agreement states that if the SR 509 south access is not approved and funded by December 31, 2007, the parties may agree to establish an alternative south access if appropriate commitments can be obtained from Washington State Department of Transportation (WSDOT) and other affected parties (SeaTac and other cities in the region). City and Port staff have met on two occasions, and have agreed to present proposals to their respective governing bodies to update the City/Port Joint Transportation Study excluding the SR 509 extension assumption. Public Works has included funding in its annual Transportation Improvement Program that will go through the City's 2009 budgeting process. The next meeting of the SR 509 Executive Committee is scheduled for June 11 at 11:00 a.m. at City Hall.

Discussion was held about various commitments the Port has made through the years that have not been met; Port-related traffic impacts to City of SeaTac surface streets, as well as freight mobility issues of concern to other cities in the region; and that support from various regional associations and industries should be pursued.

Mr. Schroeder stated that Des Moines, Kent, and Burien were very supportive during the RTID ballot issue, and may support a challenge of the legislature's actions. He further stated that the Port did make a commitment to build a south access that hinged on SR 509 being there to connect with.

Commissioner Dantzler stated that the state requires all cities to comply with the Growth Management Act (GMA). After studying various sites for a second airport, the legislature determined it was advisable to build a third runway at SeaTac International Airport. Without the SR 509 extension, traffic concurrency requirements mandated by the GMA cannot be met; therefore, the legislature is effectively violating the very requirements they instituted. This situation could affect other Port and City projects as well. Further, Commissioner Dantzler demands that these concerns be taken to the Executive Committee and appropriate letters be written so the apparent Growth Management Act violations do not go unanswered and unchallenged. The SR 509 extension should have priority because it serves an essential public facility in SeaTac (the airport), and the community should not have to absorb the impacts. He also believes the Port is not living up to its commitments and should be held accountable.

Discussion was held about the most effective method to get these concerns addressed and resolved. It was agreed that the City's legal department would be asked to research possible legal remedies, and the issue will be discussed during the upcoming Executive Committee meeting.

5. Old Business:

A. Continued Discussion about Comprehensive Plan Amendments Proposed by the City Council, Planning Commission, Public, and Staff

Mike Scarey reviewed the 2008 Proposed Amendments to the Comprehensive Plan Land Use Map as follows:

- **Map Amendment #A-1**

Remove or expand Potential Annexation Area

- **Map Amendment #A-2**

Change Comprehensive Plan designation for property located at 20704 Des Moines Memorial Drive and 1109 South 207th Street to Residential Medium Density

- **Map Amendment #A-3**

Change Comprehensive Plan designation for property located at 17940 Military Road South to Commercial High Density with conditions limiting use to specific uses (The property is approximately half way down a steep bank and difficult to develop; the owner has attempted various alternatives over the years.)

- **Map Amendment #A-4**

Change Comprehensive Plan designation for properties located at 3436 & 3426 South 162nd Street to Residential Medium Density

- **Map Amendment #A-5**

Change Comprehensive Plan designation for property located west of 2809 South 160th Street (“panhandle” of Washington Memorial Park Cemetery) to Airport

Discussion was held about removing the Potential Annexation Area, particularly that SeaTac should be involved in the annexation process to have input into land uses adjacent to SeaTac borders. Steve Butler advised that the City Council had opted not to participate in mediation to ensure a clear message was sent that SeaTac is no longer interested in annexing any part of the area.

Discussion was held about Map Amendment #A-3, specifically that whatever use is allowed on that site would be visible from I-5 which should be taken into consideration.

Discussion was held about Map Amendment #A-5. Concern was raised that the Port of Seattle was submitting an amendment proposal for land they do not own. Mr. Scarey explained that it had been made very clear that if acquisition of the property is not complete by the time the City Council takes action on the proposed amendments, the proposal must be withdrawn. Staff was asked to contact Washington Memorial Cemetery to ensure they were aware that the property in question was not under the threat of condemnation.

B. Continued Discussion about Rezoning in the S. 154th St. Station Area, including Potential Amendments to Townhouse Development Standards and other Zoning Code Provisions

Mike Scarey reported that implementing the South 154th Street Station Area Plan will require rezoning various properties within the station area and extended station area, with townhouse development making up a significant portion of the rezones. The City’s standards will require updating to ensure regulations are in place to produce the

type of development the City is envisioning. Toward that end, Planning staff recently hosted a workshop on multifamily design/townhouse design attended by appropriate City staff, Pyatok Architects (who specialize in low rise, high- density housing), and BHC (City's consultant on the Major Zoning Code update). The workshop resulted in creation of four unit types, larger to smaller; designs include front entrances oriented to the street, vehicular access primarily from the back, open space, and guest parking. Prototype units consist of base building blocks with flexibility built into regulations that allow variations in design, address specific site conditions, and encourage creativity from designers/builders.

Mr. Scarey made a PowerPoint presentation showing various good and bad examples of townhouse design. Good examples are developments with buildings oriented to the street, obvious pedestrian entries, low fences/landscaping defining private space.

Major issues to be addressed in the City's townhouse/multifamily standards update include: (1) Standards for new streets; (2) Minimum lot/site size; (3) Amend parking regulations and landscape buffers between different zones as necessary; (4) Upper level building "step-back" for interface between high and medium density zones.

A community meeting at the SeaTac Community Center is scheduled for June 11. An open house and public hearing on the proposed code amendments is tentatively scheduled before the Planning Commission on June 30. A public hearing on the rezones is tentatively scheduled before the City Council on July 8, with Council action on both the rezones and code amendments on July 22.

C. Discussion about a Proposal to Change the SeaTac Municipal Code to Allow for Public Comment during a Planning Commission Meeting

Discussion was held about whether or not it was necessary or appropriate for the Commission to recommend amending the SeaTac Municipal Code to require allowing public comment during a meeting.

The following comments/concerns were raised: (1) The Commission currently has the flexibility to take comments from the audience at their discretion; (2) The Chair has the authority to allow or decline comments as appropriate, subject to agreement or majority vote by the other Commissioners; (3) Any Commissioner may request that comments be taken; (4) A requirement to take comments would be cumbersome and time consuming, however such a requirement would eliminate the possibility of someone being denied the ability to speak.

Mr. Gipson, who presented the proposal that public comments be allowed at Planning Commission meetings, was invited to speak. He and the Commissioners discussed his proposal and the reasons why it was crafted. Ultimately, Mr. Gipson withdrew his proposal.

A motion was made, seconded, and unanimously passed to recommend that the City Council not approve the proposed amendment to the SeaTac Municipal Code regarding allowing public comment during a Planning Commission meeting.

6. Detailed Commission Liaison's Report:

None.

7. Planning Director's Report:

Steve Butler advised that the city manager had been asked to be at the June 2 Planning Commission meeting to discuss various Port-related issues.

The next session of a state-sponsored workshop entitled, "Short Course on Local Planning" is scheduled for Thursday, May 22 from 6:30 to 9:30 p.m. at Renton City Hall. Commissioners Forschler, Chapin, and McDonald expressed interest in attending.

Discussion was held about appropriate procedures if the Commission determines a letter is warranted; in this case, a letter to the Washington State Department of Transportation regarding concerns related to SR 509 funding, and a letter to "Neighbors Without Borders" thanking them for their work on a recent volunteer clean-up event at the SeaTac Community Center. The City's current position is that is under the purview of the City Council. The Commission agreed that, in the future, they would direct staff to draft correspondence for their review and input, then it would be forwarded to the City Council along with a recommended recipient list. The Council would then decide under who's signature the letter would be distributed. (This method will be employed for the two letters previously identified.)

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

The Chair asked that the new Commissioners be provided with the most current City/Port Interlocal Agreement prior to the next meeting.

9. Adjournment:

The meeting was adjourned at 9:00 p.m.

PLANNING COMMISSION
Minutes of June 2, 2008, Meeting

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

Staff Present: Steve Butler, Planning Director; Jack Dodge, Principal Planner; Mike Scarey, Senior Planner; Kate Kaehny, Associate Planner; Craig Ward, City Manager; Todd Cutts, Assistant City Manager

1. Call to Order:

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

2. Approve Minutes of April 28 and May 12, 2008, Meeting:

April 28 Minutes –Page five, first paragraph, second sentence will be amended to read, “He further stated that ornamental trees didn’t necessarily need to be fast growing, and that the restriction regarding full size fruit bearing trees be deleted.”

May 12 Minutes – Page two, under Planning Commission Recommendation, items number one and two will be amended to read, “(1) A minimum of three trees be planted or retained on all single-family residential lots; (2) Removes motivation for mass clearing of vacant or developed single-family lots.”

A motion was made, seconded, and unanimously passed to recommend approval of the April 28 and May 12, 2008 minutes as amended.

3. New Business:

A. Presentation and Discussion about the City/Port Interlocal Agreement (Including the Temporary Park-and-Fly Lot Potentially Being Proposed by the Port for a site west of 28th Ave. S.) by City Manager Craig Ward

Craig Ward stated that, since Commissioners were previously provided with the 2005 City/Port Interlocal Agreement (ILA) between the Port of Seattle and the City, he would provide a brief overview focusing on specific issues of interest to the Commission.

Commissioner Lucas raised concern that the ILA hampered the Commission’s efforts regarding Port-related land use issues. Currently, of particular concern is traffic mitigation at the Port’s proposed rental car facility at South 160th Street and International Boulevard.

Craig Ward advised that the original 1997 ILA was negotiated as part of an out-of-court settlement. The City Council adopted the ILA which outlined a dispute resolution process through which the two agencies would reconcile contentious issues.

A fundamental argument was made by the Port that they are also a government agency with the same rights and powers. In some cases, state law is unclear regarding the overlap between agencies; and a resolution process was addressed during the 2005 renegotiation of the ILA rather than attempting to resolve the dispute through the courts.

The Port is proposing to rezone an existing surface parking lot in the vicinity of 28th Avenue South and South 192nd Street behind the old Angle Lake School from Aviation Operations (AVO) which is the highest intensity use to Aviation Commercial (AVC) which is a less intensive use (possibly to revert back to AVO in three years).

Commissioner Lucas stated that several years ago the 28th/24th Avenue LID assessed adjacent private property owners at approximately \$5.00 per square foot; the Port indicated their adjacent properties would not create traffic impacts along the new arterial and was therefore assessed at \$.25 to \$.50 per square foot. Now the Port is proposing commercial parking which may not only create traffic impacts, but compete with private business.

Craig Ward advised that the City's legal department is reviewing whether or not there is any avenue to revisit the terms of the original LID, but a satisfactory remedy is unlikely. Further, as the proposed rezone is discretionary, the City is under no obligation to approve it. He cautioned that if the rezone was denied, the Port could locate commercial parking on an alternate site along 28th/24th Avenue; however, impact fees should be levied.

A staff report and recommendation will be provided to the Hearing Examiner who will make the determination as to whether or not the rezone should be approved, and whatever conditions he deems appropriate to minimize impacts to the surrounding properties.

Discussion was held about contingency provisions being built into future LIDs should the underlying assumptions prove to change over time to allow the City to revisit and possibly revise initial LID assessments.

B. Discussion about Potential Legal Issues regarding the SR 509 Funding Situation

Commissioner Lucas asked for a clarification of the procedure the Commission should follow when they determine a letter should be sent.

Craig Ward stated that the City has numerous advisory Committees, and it wouldn't be appropriate to establish a precedent for individual committees to have an outreach program. Communication on behalf of the City of SeaTac is a fundamental responsibility of the City Council. However, at any time the Commission determined a letter should be sent, if a draft was forwarded to him, he would take it to the City Council for their consideration.

Regarding Port responsibilities relative to the SR 509 Extension project, Mr. Ward reported that a key element of the ILA is compatibility (as much as possible) between the City's Comprehensive Plan land use regulations and the Port's Master Plan and Comprehensive Development Plan. One assumption of the Port's environmental documentation was that the SR 509 extension would be constructed. That has not happened, and may not in the foreseeable future.

As part of the 1997 ILA, the Port and City each committed a half million dollars to conduct a Joint Transportation Study to ensure consistency with the Puget Sound Regional Council's traffic model, and required the City and Port to negotiate an alternative south access if SR 509 was not constructed by December 31, 2007. The City has included funds in its 2009 budget to study an alternative south access; however, the current "interim south access" i.e. 28th/24th Avenue South may be the most viable solution, with significant negative impacts to City neighborhoods. Mr. Ward assured the Commission that the City would hold the Port accountable in mitigating the impacts of airport traffic through the City.

South Access and the SR 509 extension are separate roadways, but are clearly linked. The SR 509 extension was intended to exit I-5 at approximately South 211th Street, heading northwest south of the Federal Detention Center along the west side of the wetlands and connect with existing SR 509. South access would exit SR 509 in the vicinity of South 200th Street near the golf course and be a dedicated roadway running along the east side of the runways and merge with 28th Avenue South at South 188th Street.

C. Initial Discussion about Proposed Zoning Code Amendments Regarding Potential Change to Allow Laundromats in the CB and CB-C zones

Jack Dodge advised that, as a result of a business owner's request, staff reviewed regulations and determined that it was appropriate to amend the code to allow laundromats in the Community Business (CB) and Community Business in the Urban Center (CB-C) zones.

A public hearing on this issue is tentatively scheduled for the Planning Commission's June 30 meeting.

D. Initial Discussion about Proposed zoning Code Amendments Regarding the Placement of Real Estate Open House and Directional Arrow Signs

This proposed amendment would allow one additional off-premises A-frame/board sign, and three off-premises directional arrow signs which are not currently allowed. This change would allow potential buyers to locate homes for sale, particularly those off private access easements.

Sam Pace, Seattle/King County Association of Realtors, offered his assistance since similar regulations are being developed and adopted by other jurisdictions in the area.

Mr. Pace submitted written comments outlining the necessity of real estate signs in the home-buying process.

A public hearing is tentatively scheduled for the Planning Commission's June 30 meeting.

E. Initial Discussion about Proposed Zoning Code Amendments Regarding Parking in the City Center

Jack Dodge advised that the proposed amendment would clarify parking regulations within the City Center. As part of Section 15.35.140, footnote number five would state, in part, "Public/private parking lots up to a maximum of three-hundred (300) parking spaces are permitted within a structure when associated with other nonparking land uses....."

A public hearing on this issue is tentative scheduled for the Planning Commission's June 30 meeting.

4. Old Business:

A. Continued Discussion about Preliminary Docket of 2008 Comprehensive Plan Amendment Proposals

Mike Scarey reviewed the maps and supplemental information relative to the Proposed 2008 Comprehensive Plan Map Amendments.

Discussion was held about the various proposed map amendments, particularly Map Amendment #A-3, which is a difficult site because a portion is on a steep slope, and is not particularly well-suited to the current medium density residential designation.

A completed Preliminary Docket will be presented to the Commission at their next meeting. On June 30, The Commission will be asked for a recommendation on which proposed amendments meet the criteria to be moved onto the Final Docket. The City Council is tentatively scheduled to review and take action on establishing the Final Docket at their first meeting in July.

B. Continued Discussion about Rezoning in the S. 154th St. Station Area, including Potential Amendments to Townhouse Development Standards and other Zoning Code Provisions

Kate Kaehny reported that the rezone process in the S. 154th St. Station Area has been combined with an update of the townhouse standards to ensure the high quality townhouse development the City envisions within the station area and throughout the City.

The third and final community meeting is scheduled for Wednesday, June 11 at 6:30 p.m. at the SeaTac Community Center to advise the community on staff's

recommendation about how to proceed with the rezones based on input from the first two community meetings, the City Council, and Planning Commission. A PowerPoint presentation will provide background information, examples of good and bad townhouse development, unit configuration examples, major issues to be addressed, and next steps.

An update will be provided to the Commission at their next meeting. An open house and public hearing on the proposed townhouse code amendments is scheduled before the Commission at their June 30 meeting. A briefing before the City Council is tentatively scheduled for June 24, with a public hearing and Council action on the rezones on July 22.

C. Continued Discussion about the City's Development Review Process

As requested by the Commission, Jack Dodge provided permitting process flow charts outlining both mandated timelines and shorter City timeline goals for five Planning Department permits i.e. Conditional Use Permits, Preliminary Long Subdivisions, Short Plats, Rezones, and SEPA (when not associated with another permit). He also provided charts outlining appeal processes and timelines for various permit types. The information will be made available on the City's website in the near future.

D. Continued Discussion about Establishing Review Criteria for Evaluating Proposed Regulations

This item was tabled, and will be revisited in the fall.

E. Update on the Presentation to the City Council about the Tree Retention Proposals

Discussion was held about the tree retention presentation staff made to the City Council on May 27. Concern was raised that differences between the Planning Commission recommendation and the staff recommendation were not conveyed in the way the Planning Commission might have done.

After a lengthy discussion, it was agreed that when the Planning Commission and staff do not concur on a recommendation, a representative of the Planning Commission would be invited to brief the Council on their recommendation (upon approval by the Commission on a case-by-case basis). Under the same scenario, it was agreed that if staff substantively revises their recommendation subsequent to Planning Commission review, both the Commission and the City Council will be made aware of the situation, with the City Council making the determination whether or not the issue should be referred back to the Planning Commission for further review and possibly another public hearing. It was further agreed that keeping the process moving forward was important. Therefore, time permitting, staff will present their revisions at a Planning Commission meeting. If not, revisions will be emailed to the Commissioners.

A second joint City Council/Planning Commission workshop to discuss tree retention has been scheduled for June 10 at 5:00 p.m. in the Council Chambers.

Commissioner Forschler showed the Commission an electronic model which allowed various site configurations including lot sizes, topography, setbacks, easements, sidewalks, turnarounds, building footprints etc. to be entered and modified. Trees of different sizes (including drip lines) can also be entered and moved around the site for discussion purposes and to clarify potential impacts (a cleaned-up version of the model will be used at the joint workshop).

It was agreed that the word “mass” would be removed from both recommendations. To clarify and ensure no misunderstandings, a revised set of policy questions will be prepared and discussed at the June 16 meeting. Therefore, Steve Butler was asked to reschedule the workshop to June 24, if agreeable with the City Council.

5. Detailed Commission Liaison's Report:

None

6. Planning Director's Report:

Steve Butler advised that site tours to view various townhouse developments in west Seattle were being tentatively scheduled for Friday, June 13 and Saturday, June 14. The Planning Commissioners are all invited to participate.

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

The Commission requested that exhibit identification be included on their agenda.

8. Adjournment:

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

PLANNING COMMISSION
Minutes of June 16, 2008, Meeting

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

Staff Present: Jack Dodge, Principal Planner; Dennis Hartwick, Associate Planner;
Tom Gut, City Engineer

1. Call to Order:

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

2. Approve Minutes of June 2, 2008, Meeting:

On page two, third paragraph, language will be amended to read, “Commissioner Lucas stated that several years ago the 28th/24th Avenue LID assessed adjacent private property owners at approximately \$5.00 a square foot; the Port indicated their adjacent properties would not create traffic impacts along the new arterial and was therefore assessed at approximately \$.25 to \$.50 a square foot.”

On page five, second paragraph under Update on the Presentation to the City Council about the Tree Retention Proposals, language will be amended to read, “After lengthy discussion, it was agreed that when the Planning Commission and staff do not concur on a recommendation, a representative of the Planning Commission would be invited to brief the Council on their recommendation (upon approval by the Commission on a case-by-case basis).

A motion was made, seconded, and unanimously passed to approve the minutes of the June 2, 2008 meeting as amended.

3. New Business:

A. Presentation on City’s Proposed 2009-2018 Transportation Improvement Program (TIP) by Tom Gut, City Engineer

Tom Gut stated that the City’s annual TIP is intended to identify proposed transportation improvement projects. State law requires it encompass a six year period; however, the City forecasts ten years into the future to allow project coordination with other City departments and external utility providers so that all aspects of a given project may be addressed simultaneously. The TIP is presented annually to various Council committees for review and input, culminating in a public hearing and Council adoption (this year tentatively scheduled for June 24).

Mr. Gut focused his presentation on the first two years of the TIP (2009 & 2010) as follows:

2009

- Annual Commute Trip Reduction Element
- Annual Citywide Pedestrian Program – Beginning this year, the TIP reflects annual funding (over twenty years) of approximately \$1.5 million for pedestrian improvements to construct twelve and one-half miles of sidewalks in selected areas of the City as recommended by the ad hoc Sidewalk Committee
- Annual Street Overlays
- ST-092 S. 192nd St. & 37th Ave. S. – Install curb/gutter/sidewalk, shoulder walkway, and traffic calming measures
- ST-155 SeaTac/Airport Transit Station Area Infrastructure Phase 1 – Construct a new north/south street (30th Ave. S.) between International Boulevard and 32nd Ave. S. Construct new east/west streets from International Boulevard to the new 30th Ave. S., install new traffic signal, install utility distribution systems, provide pedestrian amenities
- GE-037 Transportation Plan Update – Conduct transportation study to evaluate transportation network without SR 509 extension
- ST-848 Westside Trail Phase II – Extend bicycle/pedestrian trail along Des Moines Memorial Drive S.
- MP-024B Link Light Rail (S. 154th St. Station to Airport Station) – Construct separated rail tracks, new station with pedestrian overpass, new passenger kiss ‘n ride, and bus station
- ST-123 S. 154th St. (Int’l Blvd. to 32nd Ave. S.) – Sound Transit traffic mitigation for new transit station
- ST-124 International Boulevard (S. 154th St. to SR 518) – Sound Transit traffic mitigation for new transit station
- ST-130 S. 154th St. (24th Ave. S. to 32nd Ave. S.) – Reconstruct and widen roadway as necessary
- MP-842 Rental Car Facility Access Ramp (S. 160th St. to N. Airport Expressway) – A new one-lane ramp from S. 160th St. northbound to the North Airport Expressway
- MP-847 Widen S. 160th St. to five lanes
- MP-035 Des Moines Creek Trail Phase 2 (Beach Park to 14th Ave. S.) – Construct second phase of an 8,400 L.F. bicycle and pedestrian trail with amenities (funded by the City of Des Moines)
- ST-131 24th Ave. S. Phase 2 (S. 208th St. to S. 216th St.) – Construct a four to five lane urban arterial including pedestrian facilities. (The City of Des Moines has indicated this project may be postponed.)

2010

- Annual Commute Trip Reduction Element
- Annual Citywide Pedestrian Program
- Annual Street Overlays
- ST-122 Military Road (S. 160th St. to S. 176th St.) – Reconstruct roadway to provide for drainage and pedestrian facilities

- ST-125 S. 154th St. Transit Station Area Infrastructure Improvements – Reconstruct pavement and widen existing roadways, build new streets as necessary
- ST-142 S. 152nd St. (Military Road to International Boulevard) – Construct right turn lane, curb/gutter/sidewalk (This item is a placeholder at the present time.)
- ST-024 S. 142nd/S. 144th Sts. (DMMD S. to 24th Ave. S.) – Improve existing arterial roads. (A study has recently been completed to determine how best to restrict “55 acre” truck traffic on 24th Avenue South.)
- ST-065 Des Moines Memorial Drive at S. 200th St. – Widen to add turn lanes, improve signal. (This project is in partnership with the City of Des Moines, design work is scheduled to begin in 2010.)

In answer to a question about whether or not the Port is required to comply with the annual Transportation Improvement Program, Tom Gut explained they use their Comprehensive Development Plan (CDP) to plan and coordinate their projects, but that it was probably not state-mandated. He agreed to research the issue further and provide pertinent information to the Commission, along with state statute language requiring TIP compliance.

The Commission also asked that they be provided with a mechanism to track various projects of interest. Mr. Gut suggested that a map identifying the completion dates of past projects may be helpful when used in conjunction with the TIP document.

Discussion was held about the need for an overpass/underpass to the City-side from the light rail station at South 154th Street. The span length and up/down movement could be problematic, one possible solution would be a developer willing to have a pedestrian walkway enter on the second floor of a redevelopment on the City-side. The City will approach Sound Transit about the feasibility of adding a pedestrian bridge to the guideway structure; however, the development agreement between the two agencies indicates Sound Transit will fund one pedestrian bridge at the Airport Station.

B. Initial Discussion about Potential Zoning Code Amendments to the City Center’s Parking Bonus Provisions

In March, 2008 the City Council approved a temporary amendment to the City Center parking bonus incentive program. The original regulations granted one bonus parking stall for every 25 square feet of commercial, residential, or hotel space. The new code granted one bonus parking stall for every 250 square feet of commercial, residential, or retail and created a new ratio for hotels at one-half parking stall per unit.

Heartland consulting firm was hired to analyze the amended parking bonus provisions, particularly if the bonus stalls provided sufficient incentive to encourage development in the City Center. They created a pro forma model to evaluate the feasibility of single-use and mixed-use developments on three separate sites within the station area and City Center. Their initial findings are as follows: (1) The 300 parking stall base may not be necessary because developers realize good return with just the bonus parking stalls. (2) Using different bonus ratios for the uses allows the City to incentivize

preferred development. (3) Mixed-use projects require greater incentives than single-use projects due to financing and project management complexities. (4) The City may wish to consider creating a program that incentivizes development inside the station area more than outside, or vice versa. (5) Urban design implications need to be considered when creating the incentive program (a “too-generous” incentive program may result in tall and bulky parking structures dominating the City Center). The Commission requested they be provided with information regarding the consultant’s scope of work and what the City intended to accomplish through their analysis.

Commissioner Dantzler pointed out that the original regulation granting one bonus parking stall for every 25 square feet of commercial, residential, or hotel space was approved in error by everyone involved in the development of those regulations.

It was clarified that, under the new code, a mixed-use development within the City Center could potentially get a 300 parking stall base plus an incentive of one parking stall for every 250 square feet of commercial, residential, or retail (or .5 parking stall for each hotel unit).

Discussion was held about allowing hotels to be in the park ‘n fly business which could create a situation where insufficient parking is available for the hotel, its associated uses, and employees, with overflow parking negatively impacting adjacent neighborhoods and surface streets.

Current code requires that off-street parking standards be met for conference centers, conference rooms, ballrooms, restaurants, etc. as part of all new hotel development. A separate business license application must be submitted to the City for any park ‘n fly operations, the license would be denied if City review determined there was insufficient parking to serve existing needs on the site.

Further discussion on this issue is scheduled for the June 30 Planning Commission meeting. A public hearing is tentatively scheduled for July 14, with Council action anticipated on July 22.

C. Initial Discussion about Potential Zoning Code Amendments to the Building Setback and Landscaping Standards in the City Center

Jack Dodge reported that the proposed minor amendment would clarify currently conflicting regulations between the City Center regulations and landscaping requirements outlined in other Zoning Code sections. The new Section 15.35.310 E would state, “For projects in the CB-C zone, where the side and rear setbacks in SMC 15.13.010 conflict with the required landscaping in SMC 15.14.060 and SMC 15.14.120, the side and rear yard setbacks in SMC 15.13.010 shall supercede.”

Commissioner Dantzler asked that staff review regulations relative to the ABC zoning to determine whether a similar clarification may be appropriate.

4. Old Business:

A. Continued Discussion about Preliminary Docket of 2008 Comprehensive plan Amendment Proposals

Jack Dodge focused his review on the proposed Land Use Plan map amendments within the Preliminary Docket as follows:

Map Amendment #A-1

- Remove or expand Potential Annexation Area

Map Amendment #A-2

- Change Comprehensive Plan designation for property located at 20704 Des Moines Memorial Drive and 1109 South 207th Street from Residential Low Density to Residential Medium Density

This property was platted in 1896. The property owner originally requested separate tax lot status to construct small lot single family homes (similar to nearby Marin Grove) which was not granted due to numerous sensitive areas on the site.

Map Amendment #A-3

- Change Comprehensive Plan designation for property located at 17940 Military Road South from Residential Medium Density to Commercial High Density with conditions limiting uses

This is a difficult site because the property includes a steep slope down to I-5.

Map Amendment #A-4

- Change Comprehensive Plan designation for properties located at 3436 & 3426 South 162nd Street (only applies to the northern 2/3 of the two properties) from Residential Low Density to Residential Medium Density

Map Amendment #A-5

- Change Comprehensive Plan designation for property located west of 2809 South 160th Street from Park to Airport

The Port is currently moving forward with the purchase of this property. The property owner has indicated a willingness to sell.

Discussion was held about the Comprehensive Plan amendment process and the need for community input. The recommendation the Planning Commission will be making to the City Council on June 30 is regarding which amendment proposals meet the criteria to move forward onto the Final Docket. Further discussion and in-depth review will be conducted on the Final Docket amendment proposals. Property owners adjacent to map amendment proposals will be notified, a public hearing will be scheduled for later in the year, followed by a Planning Commission recommendation on which Comprehensive Plan amendment proposals should be adopted by the City Council.

B. Continued Discussion about Proposed Zoning Code Amendments Regarding the placement of Real Estate Open House and Directional Arrow Signs

The proposed amendments to Section 15.16.088 of the Zoning Code would allow real estate agents one additional off-premises A-frame sign displayed at any time the broker/agent or seller is in attendance at the property for sale. The proposed

amendment would also allow three off-premises directional arrow signs under certain conditions.

Discussion was held about the possibility of real estate signs saturating intersections in the vicinity of new subdivisions.

Most development in SeaTac is infill in the form of short plats; few properties remain that would be large enough to accommodate a subdivision. The saturation issue would be most prominent on weekends, however the proposed amendment requires that the broker/agent or seller be on the premises while off-premises signs are displayed so this may be less of a concern in SeaTac.

Discussion was held about limiting the number of signs for subdivisions with multiple homes for sale. Jack Dodge suggested the proposed amendments go forward as written, with results monitored to determine whether or not modifications may be necessary. He further clarified that his interpretation of the proposed language would allow property owners selling their own homes the same signage as real estate agents.

C. Continued Discussion about Rezoning in the S. 154th St. Station Area, including Potential Amendments to Townhouse Development Standards and other Zoning Code Provisions

Dennis Hartwick advised that a community meeting was held at the SeaTac Community Center on Wednesday, June 11, and the general response from the citizens in attendance was favorable for City-sponsored rezones. Concerns were raised about how individual properties would be affected, particularly taxes. At the community meeting, Steve Butler reviewed the process and timelines associated with the proposed amendments to the Townhouse Development Standards, a few questions were asked and answered, but there were no serious concerns raised.

If ready, code language will be presented to the Commission at their June 30 meeting.

D. Discussion about the Presentation at the City Council's June 24 Workshop about the Tree Retention Proposals

It was agreed that Commissioner Forschler would present the Planning Commission recommendation relative to tree retention at the upcoming workshop. Revisions he made to the original PowerPoint presentation before the City Council on May 27 were reviewed. It was agreed that the staff's recommendation would be presented in its original form. Various modifications to the document to clarify the Planning Commission's recommendation and a comparison between the Commission and staff recommendations were discussed and agreed upon.

Commissioner Forschler will further clarify the Planning Commission's position on this issue through the use of a computer presentation allowing the creation of various site configurations containing structures, trees (including drip lines), setbacks, easements, etc. that may be moved around on the site. Of particular concern are tree

replacement ratios in the staff recommendation. Commissioner Forschler also intends to clarify that during their review, the Planning Commission did not specifically discuss the pros and cons from an environmental perspective although their recommendation may result in more trees on properties than the staff recommendation

5. Detailed Commission Liaison's Report:

Commissioner Dantzler attended a meeting of the SR509 Executive Committee and reported that Julia Patterson and Craig Stone of the state Department of Transportation were researching the possibility of a study to determine whether or not it was feasible to use a tolling mechanism or “hot lanes” to generate funds because the state currently does not have sufficient revenue to move forward on the SR509 extension project until possibly the year 2021. However, sufficient funds were dedicated to vest the project until the next legislative session when this issue will be re-visited.

Commissioner Forschler attended the last Land Use & Parks Committee meeting. Discussion was held about a presentation made before that committee by the Port in reference to their proposed three year rezone of property off 28th Avenue South that would be used for commercial parking. Concern was raised that the Port should be held to the same requirements as private property owners initiating a rezone within the City.

Jack Dodge stated that the City’s current position is that the proposed rezone is for a non-port related use; therefore, the Port would be required to go through the City’s established rezone process.

6. Planning Director’s Report:

None.

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

Discussion was held and it was agreed that the Commissioners would confirm when they were ready to receive emails via new City email addresses.

8. Adjournment:

The meeting was adjourned at 8:30 p.m.

PLANNING COMMISSION
Minutes of June 30, 2008 Meeting

Members Present: Richard Forschler, Roxie Chapin, Melvin McDonald

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

1. Call to Order:

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

2. Approve Minutes of June 16, 2008 Meeting:

Language on page four, bullet beginning with MP-842, will be revised to state, "Rental Car Facility Access Ramp...."

Page six, item C, language will be revised to state, "At the community meeting, Steve Butler reviewed the process and timelines...." The final paragraph under the same item will be revised to state, "If ready, code language will be presented to the Commission..."

A motion was made, seconded, and unanimously passed to approve the minutes of the June 16, 2008 meeting as amended.

3. Public Hearing:

A. Staff Presentation on Proposed Zoning Code Amendments Related to allowing Laundromats in the CB and CB-C zones, Regulating the Placement of Real Estate Open House and Directional Arrow Signs, and Base Parking Allowance in the City Center

Jack Dodge reviewed the proposed amendments as follows:

Allowing Laundromats in the CB and CB-C zones

The proposed amendment would allow laundromats as a permitted use within the City Center, particularly in the Community Business (CB) and the Community Business in the Urban Center (CB-C) zones. Staff has determined it would be a compatible use as dry cleaners are allowed in the above referenced zones.

Regulating the Placement of Real Estate Open House and Directional Arrow Signs

The proposed amendment would allow four off-premises A-frame board signs to be displayed only when a licensed broker/agent or seller is in attendance on the property

for sale. Three or four off-premises directional arrow signs would be allowed subject to various criteria including size and placement.

Base Parking Allowance in the City Center

This proposed amendment would provide consistency throughout the Zoning Code and clarify that up to a maximum of 300 bonus parking spaces would be permitted within a public or private parking structure when associated with other non-parking land uses.

B. Public Hearing on Potential Zoning Code Amendments Related to Allowing Laundromats in the CB and CB-C zones, Regulating the Placement of Real Estate Open House and Directional Arrow Signs, and Base Parking Allowance in the City Center

The Vice-Chair opened the public hearing at 5:45 pm.

Dave Bush, 3315 S. 191st St.: Mr. Bush works in the real estate industry and extended his thanks to staff for considering their concerns in revising the current standards, particularly in the current market. He reviewed the proposal with other real estate agents and the consensus was that, for the most part, it would serve their needs. However, additional directional arrow signs would be helpful to facilitate locating hard-to-find homes for sale.

Sam Pace, Housing Specialist with Seattle-King County Association of Realtors: Mr. Pace also thanked staff and expressed appreciation for the long-standing good working relationship they share. The proposal is more consistent with what other cities are allowing, the industry tries to be supportive of cities providing reasonable signage regulations; typically tailored to the needs of each jurisdiction. Real estate agents would support allowing additional signs in SeaTac.

Mike Murphy, 301 E. Pine St. Seattle: Mr. Murphy requested a clarification regarding the proposed base parking allowance in the City Center. His understanding was that a mixed- use or residential project with structured parking would be limited to 300 stalls, with additional stalls gained through the bonus program.

Jack Dodge explained that the referenced 300 stalls would be the base bonus parking allowance after all off-street parking requirements of the mixed-use or residential development were met.

Hearing no further requests to speak, the Vice-Chair closed the public hearing at 6:01 pm.

A motion was made, seconded, and unanimously passed to recommend that the City Council approve the proposed amendment allowing laundromats in the CB and CB-C zones as presented.

Discussion was held, and the Commissioners agreed that six A-frame/board signs may be appropriate, particularly for homes that are difficult to locate.

A motion was made, seconded, and unanimously passed to amend the proposal regarding Regulating the Placement of Real Estate Open House and Directional Arrow Signs to allow six A-frame/board signs, and that the City Council approve the proposal as amended.

A motion was made, seconded, and unanimously passed to recommend that the City Council approve the proposed amendment regarding Base Parking Allowance in the City Center as presented.

4. Old Business:

A. Continued Discussion and Decision on the Planning Commission's Recommendation to the City Council about the Proposed Rezones in the "Extended S. 154th St. Station Area"

Mike Scarey reported that three community meetings on this issue were held. The general consensus of citizens in attendance was in favor of City-sponsored rezones.

A motion was made, seconded, and unanimously passed to recommend that the City Council approve the Proposed Rezones in the "Extended S. 154th St. Station Area" as presented.

B. Continued Discussion and Decision on the Planning Commission's Recommendation to the City Council about Establishing the Final Docket of 2008 Proposed Comprehensive Plan Amendments

Mike Scarey reviewed recent revisions to the Preliminary Docket as follows:

- Land Use Plan Map Amendment #A-2

Staff has identified two alternative recommendations i.e. (1) Do not forward to the Final Docket; (2) Forward to the Final Docket with Potential Zone of UM3600, and property-specific condition that future development shall be small-lot single family only (it is anticipated that a final recommendation will be determined within a few days).

- Land Use Plan Map Amendment #A-3

Staff's recommendation is to not forward this proposed amendment onto the Final Docket. The decision was made following numerous attempts to assist the property owner in finding a reasonable use for the property; however, the property owner is firm on a commercial airport parking use which the City is not prepared to support.

- Capital Facilities Element, Text Amendment #10

Staff's recommendation is not to forward to the Final Docket as relevant studies have not been completed.

Gary Hall, Land Use & Development Consultant, representing the proponent of Land Use Plan Map Amendment #A-4 to change the Comprehensive Plan designation for the northern 2/3 thirds of properties located at 3436 and 3426 South 162nd Street: Mr.

Hall provided a handout to explain and clarify the amendment proposal which would change the designation to Residential Medium Density on the rear portion of the original two properties (adjacent to UH-900 zoning) to allow for six additional units, either townhomes or cottages. The two remaining lots facing South 162nd Street would remain single family.

Mr. Scarey stated that City Council action to establish a Final Docket had been scheduled for July 8, but has been postponed until July 22.

The Commission agreed to postpone their recommendation until July 14.

C. Continued Discussion about Potential Zoning Code Amendments to the City Center's Parking Bonus Provisions

At their last meeting, the Commission requested the scope of work under which the City's consultant is reviewing parking bonus provisions within the City Center. Minor changes to the staff recommendation include: (1) The 300 base bonus parking allowance may be deleted from the Code, the bonus parking stall allowance would be gained exclusively through the incentive program using a formula based on what uses the City chooses to incentivize both inside and outside the station area. (2) The current parking bonus incentive for hotels (0.5 spaces per hotel unit) may be reduced or deleted altogether. Incentives to encourage below-grade parking are also being considered.

A presentation is scheduled before the City Council on July 8, the Planning Commission will hold a public hearing on July 14, and City Council action is tentatively scheduled for July 22.

Mike Murphy, 301 E. Pine St. Seattle, on behalf of Dollar Development: Mr. Murphy stated their independent calculations indicate the analysis compiled by the City's consultant is fundamentally flawed, it bears no relation to economic reality, and the original formula of one bonus parking space per 25 square feet of commercial, retail, or office makes perfect sense and should not be changed. Mr. Murphy also stated that underground parking was not cost effective. He requested a copy of the consultant's analysis documents.

Steve Butler advised that Mr. Murphy would be provided with the documents after they have been finalized, and before the July 14 public hearing.

Earl Gipson, 17050 51st Ave. S.: Mr. Gipson asked whether or not Mr. Murphy's calculations regarding SeaTac International Airport having a shortage of parking considered the new Port rental car facility currently under construction.

D. Continued Discussion about Adoption of a New Subdivision Code

Jack Dodge reviewed the latest version of the draft Subdivision Code and presented a matrix outlining the differences between the King County Subdivision Code (which the City adopted at incorporation) and the proposed SeaTac Subdivision Code, a well

as a PowerPoint presentation to further clarify. State law (RCW 58.17) mandates certain standards for all cities and counties in adopting their subdivision codes, with minor tailoring allowed to accommodate local conditions. The City began development of the new subdivision code in 2000 with input from the Planning Commission, Land Use & Parks Committee, stakeholders, and others.

The major differences between the two subdivision codes are as follows:

Lot Line Adjustments – No new lots created

- King County – No limitation on the number of lots
- SeaTac – Allows adjustments of up to 4 lots in one application

Lot line adjustments are typically moving boundary lines whereby no additional new lots are created; however, a buildable lot may be created, provided all Zoning Code requirements are met. Four-lot lot line adjustments are approved administratively with no adjacent property owner notification; five-lot lot line adjustments would trigger the short plat process and require adjacent property owner notification.

Lot Line Adjustments - Upgrade to Short Plat by Director

- King County – No provisions
- SeaTac – Allowed if cumulative effects warrant

Panhandle Lots

- King County – allowed
- SeaTac - Discouraged

SeaTac currently allows a panhandle configuration for two-lot short plats. The proposed subdivision code discourages their use primarily due to potential difficulty for emergency vehicles to access rear lots.

Short Plats - Upgrade to long subdivision

- King County – No provisions
- SeaTac – Allowed if cumulative effects warrant

Side-by-Side Short plats (5-8 parcels)

- King County – (1) Allowed regardless of ownership; (2) May use separate access easements; (3) No requirements regarding joint access easement
- SeaTac – (1) Allowed only if properties are in separate ownership; (2) Requires joint access easement unless physical conditions prevent it; (3) The first lot to short plat must allow access by the second lot to short plat.

Access requirements for a long subdivision are more restrictive than those for a short plat. Five or more lots become a de facto subdivision, one private access easement could serve a number of homes beyond its intended capacity. The first lot to short plat would be required to provide a 20' asphalt access easement, the second lot to short plat would provide 10' sidewalks

Fencing of Private Access Road in New Short Plat from adjacent property

- King County – Not required
- SeaTac – Required unless property owner doesn't want it

Open Space/Trees in New Subdivisions

- King County – (1) 10% required for 100 lots or more
- SeaTac – (1) 7% required for 10 lots or more

Binding Site Plans

- King County – Not adopted by SeaTac
- SeaTac – Process incorporated

The state mandates that an optional binding site plan process be incorporated in subdivision codes.

Greenbelts Adjacent to Commercial Zoning

- King County – No requirements
- SeaTac – 20' if subdivision is adjacent to commercial property

King County Road Standards

- These standards were adopted by the City by reference in the SeaTac Municipal Code (SMC) Chapter 11.05

Discussion was held about side-by-side short plats done separately, specifically potential inequities between what the first and second developers are required to provide relative to access easements versus the need to provide safety for pedestrians, parking, and emergency vehicle access.

This issue will be presented to the City Council on July 8, the Planning Commission will hold a public hearing on July 14, Council action is anticipated on July 22.

A letter from Daryl Tapio outlining his concerns regarding the proposed subdivision code was reviewed and discussed. A stakeholder's meeting was held on June 26, the most current draft of the proposed subdivision code incorporates input from that meeting and addresses several of Mr. Tapio's concerns. Mr. Gipson's comments were also provided.

Discussion was held about the complexity of the proposed subdivision code. Jack Dodge explained that the King County Subdivision Code contains many gray areas which hinder the process while the intent is interpreted. The updated code clarifies those gray areas, allowing the process to move more smoothly. Further, developers prefer clarity and want to know exactly what will be required.

Commissioner Forschler provided the following comments on the proposed subdivision code:

Sensitive Area easement is not defined

Jack Dodge stated that under the Growth Management Act, all cities must have a critical areas ordinance or sensitive area regulations.

Section 14.16.028 Building Footprint, item #5, regarding trees and their drip lines in sensitive areas

Language will be revised to clarify

Diagram on page 8 regarding “originating lot”

Jack Dodge explained the diagram illustrates the original lot and how it could be subdivide into six lots

Concern was expressed that a public hearing on July 14 was premature, and that private property owners should be included in stakeholder meetings.

Earl Gipson 17050 51st Ave. S.: Mr. Gipson feels the proposed SeaTac Subdivision Code infringes on the rights of property owners with subdividable lots and is too restrictive, particularly regarding access easements. Mr. Gipson expressed concern about the lot line adjustment regulations and potential negative impacts to property owners, and decisions being left to City department directors rather than being codified in the regulations.

Jack Dodge stated that the lot line adjustment regulations do not prohibit the creation of a buildable lot, just the creation of a new lot.

Discussion was held about potential impacts of allowing the Planning Director, Public Works Director, or others to make discretionary decisions. Steve Butler stated that the City Council had directed that guidance to applicants be given in certain situations and that, for the most part, those discretionary decisions expedite the permitting process and are made in favor of the applicant.

Page 18, item #6 should be revised to state, “....all trees 8 inches in caliper as measured 4' from its base.”

Page 25, item #15 reference to significant trees - Review and approval of tree retention regulations should be completed prior to any reference in the proposed subdivision code.

Jack Dodge stated that current regulations require retention of significant trees; it may be appropriate to add a statement such as “if applicable”.

The Commission asked that they be provided with stakeholder comments regarding the proposed subdivision code. It would be helpful if agenda item materials related to an upcoming meeting could be emailed to the commissioners prior to the distribution of packets.

5. Detailed Commission Liaison's Report:

Commissioner Forschler expressed concern about the City’s noticing policies, and that the public was not being informed adequately, particularly regarding important issues

of interest to those portions of the community most affected. He recommended that the policies be reviewed and possibly revised to ensure as much feedback as possible from the community before the City takes action. He also provided copies of a “Concerned SeaTac Citizen’s blog” and read two excerpts into the record.

Discussion was held about the Commission having considered environmental impacts in making their recommendation to the City Council regarding tree retention.

A motion was made, seconded, and unanimously passed to include a Carbon-info.org data model outlining CO2 absorption rates in the Planning Commission tree retention recommendation to the City Council.

Steve Butler explained that public noticing has been discussed many times since the City incorporated. The City Council determined it was not feasible to notify every citizen by mail each time a Zoning Code or Comprehensive Plan amendment was proposed, but the City’s policy is to go beyond legal requirements when possible. He asked the Planning Commission to develop some possible solutions for the City Council and staff to consider. This item will be added to the Planning Commission’s work plan for future consideration.

Commissioner Chapin attended an initial Shoreline Master Program Update committee meeting. A representative from the Department of Ecology explained the requirements. A number of people attended from the Angle Lake area, and all affected citizens are interested in this process.

6. Planning Director’s Report:

Steve Butler advised that the next City Council meeting was scheduled for July 8, and the Land Use & Parks Committee was scheduled to meet on July 10.

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

It was agreed that Commissioners would bring agenda-related materials to subsequent meetings so as to eliminate the need for duplication, particularly for color maps and large documents

8. Adjournment:

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

PLANNING COMMISSION
Minutes of July 14, 2008 Meeting

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

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

1. Call to Order:

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

2. Approve Minutes of June 30, 2008, Meeting:

The first paragraph under Number 5, “Detailed Commission Liaison’s Report” will be amended to state, “Commissioner Forschler expressed concern about the City’s noticing policies, and that the public was not being informed adequately, particularly regarding important issues of interest to those portions of the community most affected...”

A motion was made, seconded, and unanimously passed to recommend approval of the June 30, 2008 minutes as amended.

3. Public Hearings:

A. Staff Presentation on Proposed Zoning Code Amendments Related to Townhouse Development Standards and Related Zoning Code Provisions

Dennis Hartwick provided a PowerPoint presentation outlining the proposed amendments developed to adequately address townhouse and duplex development, and to implement the upcoming “Extended South 154th Street Station Area” rezones. (City Council action adopting temporary standards is anticipated on July 22 with a tentative effective date of August 15).

The goal of the proposed standards is to create a sense of community and a safe, family-friendly environment. Mr. Hartwick provided examples of both good and bad townhouse development for discussion. The type of development the City envisions includes attractive buildings that enhance the streetscape, strong street presence and pedestrian orientation, vehicular access via rear alleys, high quality private and common open space, sufficient streets and sidewalks for vehicular and pedestrian access, and adequate on-street and off-street parking.

A new chapter in the Zoning code dedicated to townhouse and duplex development standards includes the following:

Dimensional Standards

Existing townhouse standards regarding density, height, setbacks, and building lot area

Minimum site width and depth – 180’ x 100’

Minimum development site area 18,000 square feet.

Site Design

Units would be oriented to the street, garages accessed via a rear alley, require both pedestrian and vehicular connectivity

Building Design

Prominent pedestrian entries, articulation/modulation/architectural features providing visual interest, roofline variation, no blank walls, and quality materials

Open Space

A minimum of 400 square feet of open space

On-Site Parking

First two spaces located in the rear of each unit, no parking permitted in front or side yard, visitor and additional parking located within 150' of units

- Within Station area or City Center
Minimum one space, maximum 2 spaces, .25 visitor spaces per unit
- Extended Station Area
2 spaces per unit and .25 visitor spaces per unit
- Outside Station Area, Extended Station Area, and City Center
2 spaces for first 2 bedrooms, .5 spaces for each additional bedroom, .25 visitor spaces per unit

Steve Butler advised that the proposed standards will be adopted on a temporary basis to allow staff additional time to complete work on finalizing the standards and to ensure that new development proposals submitted in the meantime meet standards in keeping with the Station Area Plans. Upon completion, the final standards will be presented to the Commission for their review and recommendation.

Discussion was held about methods of calculating open space (possible distinction between small /large development open space, and private/common open space; and whether or not the parking regulations would negatively impact developers.

B. Public Hearing and Planning Commission Recommendation to City Council on the Proposed Zoning Code Amendments Related to Townhouse Development Standards and Other Zoning Code Provisions

The Chair opened the public hearing at 6:30 pm.

Earl Gipson, 17050 51st Avenue South: Mr. Gipson suggested the 180 day review period be written into the code.

Hearing no further requests to speak, the Chair closed the public hearing at 6:35 pm.

A motion was made, seconded, and unanimously passed to recommend that the City Council approve the Proposed Zoning Code Amendments Related to Townhouse Development Standards and Related Zoning Code Provisions as written, adding the proposed amendments

are temporary and the Planning Commission will continue its review of the proposed final standards in the fall.

C. Staff Presentation on Proposed Zoning Code Amendments to the City Center’s Parking Bonus Provisions

Steve Butler reported the City Council has directed that a meeting be scheduled with City staff, the City’s consultant Heartland LLC, and a team from Dollar Development to review pro forma assumptions and work toward an agreement on calculating bonus parking spaces. Therefore, staff recommends that the public hearing be continued.

D. Public Hearing and Planning Commission Recommendation to City Council on the Proposed Zoning Code Amendments to the City Center’s Parking Bonus Provisions

The Chair opened the public hearing at 6:43 pm.
Hearing no requests to speak at 6:44 pm, the Chair continued the public hearing to Monday, July 28.

E. Staff Presentation on Proposed Zoning Code Amendments Related to Building Setback and Landscape Standards in the City Center

Jack Dodge explained that the proposed amendment would clarify setback requirements in the Community Business, Urban Center (CB-C) zone.

SMC15.35.310 Building Placement/Setback – Addition

15.35.310E – For projects in the CB-C zone, where the side and rear setbacks in SMC 15.13.010 conflict with the required landscaping in SMC 15.14.060 and SMC 15.14.120, the side and rear yard setbacks in SMC 15.13.010 shall supersede. This shall not apply where side and rear property lines abut a single-family or residential zone as listed under 15.14.060.

In answer to a question raised by Commissioner Dantzler about including the Aviation Business Center (ABC) zone in the proposed amendment, Mr. Dodge stated that staff would be researching similar amendments to clarify setback/landscaping requirements not only in the ABC zone, but other zones as well.

F. Public Hearing and Planning Commission Recommendation to City Council on the Proposed Zoning Code Amendments Related to Building Setback and Landscape Standards in the City Center

The Chair opened the public hearing at 6:46 pm.
Hearing no requests to speak, the Chair closed the public hearing at 6:47 pm.

A motion was made, seconded, and unanimously passed to recommend that the City Council approve the Proposed Zoning Code Amendments Related to Building Setback and Landscape Standards in the City Center as presented.

G. Staff Presentation on the Proposed New Subdivision Code

Steve Butler stated that it had been determined that additional review of the proposed subdivision code was necessary, and asked that the public hearing be continued.

H. Public Hearing and Planning Commission Recommendation to City Council on the Proposed New Subdivision Code

The Chair opened the public hearing at 6:50 pm.

Earl Gipson, 17050 51st Avenue South: Mr. Gipson reviewed the proposed subdivision code and RCW 58.17 and submitted his comments in writing on July 1 addressed to the City Councilmembers, City Manager, Planning Commissioners, and staff. He expressed concern that the letter had not been received by the Commissioners prior to tonight's meeting.

John Thompson, 2504 South 148th Street: Mr. Thompson stated he hoped the Planning Commission wouldn't make any recommendations on the proposed subdivision code until the tree retention standards had been finalized. Further, Mr. Thompson is against requiring tree covenants on properties.

Daryl Tapio, 16833 40th Lane South: Mr. Tapio stated he may be unable to attend the continued public hearing, and distributed his written comments to the Commissioners and staff. He invited the Commissioners to call or email him with any questions.

The Planning Commission will continue their discussions on the proposed subdivision code on July 28, September 8, and September 22. Since all the Commissioners have a copy of the proposed code, staff will issue a memo outlining which sections will be discussed at each of the meetings.

Hearing no further requests to speak at 7:12 pm, the Chair continued the public hearing to September 22.

Discussion was held about how best to ensure that letters hand-delivered to city hall were distributed appropriately; further discussion on this issue will be held at the next meeting. Mr. Gipson was invited to email letters or comments to the Commissioners at their City email addresses (to be posted on the Planning Commission web-page).

The Commission requested that long, complicated packet materials be provided to them prior to the Friday afternoon before a Commission meeting, if possible.

Discussion was held about tree retention requirements outlined in the proposed subdivision code; the Planning Commission having made their tree retention recommendation to the City Council, including an addition on June 30, and whether or not to continue review and discussion, possibly amending their recommendation further.

The list of options developed to potentially modify staff's recommendation will be presented at the next meeting.

4. New Business:

A. Discussion about a Proposed Amendment to the City Council Administrative Procedures Related to Formalizing When the Planning Commission Would be able to Present a Presentation on Its Recommendation to the City Council

Steve Butler provided a draft resolution and indicated discussion was held at the last regular City Council meeting, as well as at the Land Use & Parks Committee, who forwarded it to the Planning Commission for review and a recommendation.

Section 5, subsection (b) would state, “The City Manager or designee will give a presentation. When Staff gives a presentation followed by a recommendation which differs from the recommendation of the Planning Commission, then the Planning Commission, or its designee, shall be given an opportunity to express its opposing viewpoint during this presentation.”

A motion was made, seconded, and unanimously passed to recommend that the City Council adopt the Resolution amending Resolution No. 06-012 and the City Council Administrative Procedures as presented.

5. Old Business:

A. Continued Discussion and Decision on the Planning Commission’s Recommendation to the City Council about Establishing the Final Docket of 2008 Proposed Comprehensive Plan Amendments

The Commission is being asked to make a recommendation to the City Council as to which proposals should be carried forward onto the Final Docket. The City Council is scheduled to establish this year’s Final Docket on July 22. On October 27, following an open house, the Planning Commission will hold a public hearing and make a recommendation to the Council which proposals should be adopted. City Council action is tentatively scheduled for November 25.

Mr. Scarey reviewed proposals currently contained within the Preliminary Docket as follows:

Map Amendments - Land Use Plan Map

- Map Amendment #A-1
Remove or expand Potential Annexation Area
Staff recommendation: Forward to Final Docket
- Map Amendment #A-2
Change Comprehensive Plan designation for property located at 20704 Des Moines Memorial Drive & 1109 S. 207th St. from Residential Low Density to Residential Medium Density
Staff recommendation: Do not forward to Final Docket
- Map Amendment #A-3
Change Comprehensive Plan designation for property located at 19740 Military Rd. S. from Residential Medium Density to Commercial High Density
Staff recommendation: Do not forward to Final Docket
- Map Amendment #A-4

Change Comprehensive Plan designation for properties located at 3436 & 3426 S. 162nd St. (proposal only applies to northern 2/3 of the two properties) from Residential Low Density to Residential Medium Density

Staff recommendation: Do not forward to Final Docket

- Map Amendment #A-5

Change Comprehensive Plan designation for property located west of 2809 S 160th St. from Park to Airport

Staff recommendation: Forward to Final Docket

- Informational Map #B-1

Amend Map 1.4 Existing Land Use Map with current information

Staff recommendation: Forward to Final Docket

- Informational Map #B-2

Amend Map 8.1 Wetland and Stream Classifications with current information

Staff recommendation: Forward to Final Docket

Text Amendments

- Text Amendment #1 – Land Use Element

Amend Policies, Strategies and Background Report to reflect removal or expansion of PAA (related to Map Amendment #A-1)

Staff recommendation: Forward to Final Docket

- Text Amendment #2 – Land Use Element

Update existing land use information in Background Report (related to Map Amendment #B-1)

Staff recommendation: Forward to Final Docket

- Text Amendment #3 – Land Use Element

Amend Land Use Policy 1.2C to improve compatibility between areas of higher and lower density residential development

Staff recommendation: Forward to Final Docket

- Text Amendment #4 – Land Use Element

Update the discussion under Land Use Policy 1.2D with reference to the “two large undeveloped areas”, because one is now developed

Staff recommendation: Forward to Final Docket

- Text Amendment #5 – Land Use Element

Amend Land Use Policy 1.3F to improve compatibility between commercial areas and lower density residential neighborhoods

Staff recommendation: Forward to Final Docket

- Text Amendment #6 – Land Use Element

Update the discussion under Land Use Policy 1.6A to update adoption date information related to the City-Port ILA

Staff recommendation: Forward to Final Docket

- Text Amendment #7 – Transportation Element

Amend Transportation Policy 3.3C to include “transit facilities” in the list of features that should be the focus of pedestrian capacity improvements

Staff recommendation: Forward to Final Docket

- Text Amendment #8 – Transportation Element

Include new Transportation Policy to address street connectivity

Staff recommendation: Forward to Final Docket

- Text Amendment #9 – Capital Facilities Element

Update 6-year Capital Facilities Plan in Capital Facilities Background Report

Staff recommendation: Forward to Final Docket

- Text Amendment #10 – Capital Facilities Element

Update Fire Services LOS as appropriate and if necessary, pending the outcome of a proposed Fire Station Location Study.

Staff recommendation: Do not forward to Final Docket

Staff presented their recommendations to the Land Use & Parks Committee on July 10, and will make their recommendations to the City Council on July 22.

Discussion was held about Map Amendment #A-1, and whether or not it would be appropriate to make a similar recommendation as the Commission made last year that the Potential Annexation Area be enlarged and a financial-feasibility study be done. The City Council has directed that SeaTac declare it is no longer interested in annexing the area and not participate in negotiations to avoid any potential confusion or misunderstandings. Steve Butler indicated that staff is recommending that this amendment be moved forward onto the Final Docket, which allows for more in-depth review over the fall months.

A motion was made and seconded to recommend that the City Council establish the Final Docket based staff's recommendations. The motion carried three to two.

6. Detailed Commission Liaison's Report:

Commissioner Forschler attended the July 8 City Council meeting and reported that the most significant issue was the parking bonus incentive and the presentations made by Heartland LLC, the City's consultant, and Mike Murphy and Chip Marshal representing Dollar Development. It appeared that Mr. Murphy made a compelling argument for lowering the square footage calculations for bonus parking stalls as opposed to Heartland's recommendation for a higher square footage requirement.

Steve Butler urged the Commissioners to keep an open mind until they had received all pertinent information and heard all the comments.

It was suggested that it may be appropriate for Dollar Development to negotiate a development agreement with the City rather than change regulations for the entire City Center area.

Commissioner Forschler attended the July 10 Land Use & Parks Committee meeting. Discussion was held about an ombudsman in the context of code enforcement, and Commissioner Forschler asked that they consider the Planning Commission's recommendation to create an ombudsman position to address not only code enforcement but other issues as well.

It was agreed that the Planning Commission would send a letter to the City Council in September (an agenda item for the September 8 meeting) recommending that a line item for a salaried ombudsman be part of the 2009 City budget.

Discussion was held about the co2 absorption rate table the Planning Commission added to their tree retention recommendation. Commissioner Forschler reiterated that the Planning Commission believes there are environmental benefits tied to their tree retention recommendation.

Commissioner Lucas addressed the LUP agenda item regarding the 28/24th Avenue LID relative to the Port's recent request for a temporary two-year rezone to site a commercial parking lot.

When property owners were assessed to construct the 28/24th Avenue corridor, the Port indicated their property would be used for warehouses with few employees, and was therefore assessed at a much lower rate than the private sector property owners. Now the Port is requesting a rezone to site a commercial park n' fly lot which would greatly increase the traffic on the 28/24th Avenue corridor.

A copy of the Hearing Examiner's decision regarding the original LID assessments has been requested to determine if traffic mitigation could be required of the Port now as a condition of the rezone approval. Other commercial developments the Port may construct could result in additional impacts. Since the SR 509 extension will not be constructed at this time, 28/24th Avenue may be used as the south access into the airport, the Port should be assessed for that usage. There appears to be some disagreement about whether or not these types of issues are regulated by the City/Port Interlocal Agreement.

Steve Butler advised that the City's legal department was researching the viability of re-opening the LID, the results will be reported to the Commission as soon as they are available.

It was suggested that the City explore the possibility of creating a process, tailored for this situation, similar to that used by sewer districts to address capacity increases over time. This discussion will be continued on September 8.

Commissioner Dantzer provided a history of the 28/24th Avenue South LID assessments as follows: (1) The first phase was completed and encompasses South 188th Street to approximately South 202nd Street. The second phase will continue the corridor into Des Moines to South 216th Street. (2) The LID process began in 1992 and was completed four to six years later. (3) The negotiating team to develop a high density core development included a senior Port staff member, Winmar Development (a subsidiary of Safeco Insurance), and the then-unincorporated area of King County that would be formed into the City of SeaTac. (4) The Port did not support the corridor because their intended land uses for the South Aviation Support Area (SASA) would generate minimal traffic. (5) The Port was assessed at between \$.25 and \$.50 a square foot, the private sector property owners were assessed up to \$5.00 a square foot. (6) The City and Port entered into an Interlocal Agreement allowing the Port to use 28/24th Avenue, thereby consuming available capacity. This is not appropriate because it was paid for by private property owners. (7) The Port should create its own road or upgrade an existing service road. (8) The 1994 Growth Management Act mandated all jurisdictions comply with concurrency i.e. new developments had to provide water/sewer/electrical capacity, as well as road capacity. (9) The private property owners paid for upgrades to allow for four to six million square feet of

development. (10) The Port's current rezone proposal and potential additional commercial developments (including interim south access) could consume capacity to level of service F which would preclude the private property owners from developing their properties. (11) \$25 million was put together to build the 28/24th Avenue corridor. At that time, property owners were assessed at \$790 per peak hour trip per vehicle.

A letter from David Stanley regarding tree retention was hand-delivered to the City Manager's Office on June 20, addressed to SeaTac City Councilmembers, City Manager, and Planning Commission. Unfortunately, the letter did not get routed to the Commission (this is a separate discussion item). Commissioner Forschler read the letter into the record which states, in part, "...that the City recently began requiring property owners to sign tree covenants which was so restrictive and caused delays and increased costs to a point where it was better to remove the trees prior to applying for the short plat...."

Discussion was held about whether or not the City's tree retention policy had changed over the last two years; closing loopholes in the Zoning Code if necessary; and Code interpretations by the Planning Department.

7. Planning Director's Report:

The next Planning Commission meeting is scheduled for July 28, with the following meeting to be held on September 8.

Steve Butler asked the Commission if they wanted a representative at the table during the July 22 City Council meeting at which staff will present recommendations for establishing the Final Docket of the 2008 Proposed Comprehensive Plan Amendments. The Commission also made a separate recommendation regarding real estate signs, so a representative may want to present their viewpoint.

It was agreed that either Commissioner Chapin or Commissioner Forschler would attend the July 22 City Council meeting to represent the Planning Commission's viewpoints.

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

The 28/24th Avenue South LID discussion continued as follows: (1) The Port will likely apply for the rezone in the near future. (2) The Commission wants to review and comment on all aspects of this issue (further discussion at the July 28 meeting). (3) No approval of the rezone be granted until thorough discussion has been held and the City Council understands all the underlying circumstances; there are significant potential legal ramifications. (4) Private property owners are still paying approximately \$120,000 annually on the fifteen year LID. (5) The original investors should decide if the Port should be assessed to mitigate their use of the corridor. The City has an obligation to enforce the LID contract, and doesn't have the authority to mitigate that contract.

Steve Butler advised that Mark Johnsen would be invited to the July 28 meeting to brief the Commission on the current status of this issue.

Daryl Tapio, 16833 40th Lane South: Mr. Tapio stated that, over the last ten years, he had done about 20 short plats and constructed about 80 houses in the City. He believes the Planning Department's policy regarding tree retention has definitely changed recently i.e. as a condition of short plat approval, landowners are now forced to sign a tree covenant which protects the trees forever, also enacting severe penalties for removing trees. For the first eight years Mr. Tapio did short plats in the City, it was the landowner's decision which trees to save and which to cut. People didn't want to sign the covenants which motivated them to remove the trees prior to applying for a short plat.

Earl Gipson, 17050 51st Avenue South: Mr. Gipson stated he became aware of the loophole when the property owner behind him cleared his lot he subsequently learned that the City's policy was motivating people to do this. He contends that no such policies be allowed in either the tree retention standards or the proposed subdivision code; all regulations should be codified.

9. Adjournment:

The meeting was adjourned at 9:00 pm.

PLANNING COMMISSION
Minutes of July 28, 2008, Meeting

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

Staff Present: Jack Dodge, Principal Planner; Mike Scarey, Senior Planner; John Schelling, 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 pm.

2. Approve Minutes of July 14, 2008, Meeting:

On page seven under “Detailed Commission Liaison Reports”, the second sentence of the fourth paragraph will be amended to state, “Discussion was held about an ombudsman in the context of code enforcement and Commissioner Forschler asked that they consider the Planning Commission’s recommendation to create an ombudsman position to address not only code enforcement but other issues as well.”

A motion was made, seconded, and unanimously passed to recommend that the minutes of the July 14, 2008 meeting be approved as amended.

3. Public Hearing:

A. Public Hearing (Continued from 7/14/08), and Potential Planning Commission Recommendation to City Council, about the Potential Zoning Code Amendments to the City Center’s Parking Bonus Provisions

Discussion was held about City Council’s direction that staff, Heartland LLC, and Dollar Development meet to clarify analysis conclusion discrepancies (a meeting has been scheduled for Tuesday, July 29); and Dollar Development negotiating a development agreement to address their specific needs rather than suggesting policy changes that would impact the entire City Center/station area.

The Commission requested that they be provided with a comparison of the numbers used by Heartland and Dollar Development, and that Dollar identify the number of parking stalls designated for airport parking and the number for public use.

Mike Scarey reiterated that the meeting's purpose was to gain clarification and understanding, not to negotiate a development agreement. The Planning Commission will be briefed on the results of that meeting.

A motion was made, seconded, and unanimously passed to continue the public hearing to a future date.

4. New Business:

A. Discussion about the Property Tax Impacts of the Proposed City-Initiated Rezones in the "Extended S. 154th St. Station Area"

Mike Scarey explained that this issue was referred back to the Commission because of concerns about whether or not adopting the rezones as proposed would significantly raise property taxes. Unfortunately, the King County Assessor's Office is less than cooperative when asked about hypothetical scenarios. Therefore, staff did its own research to compare property tax values using various scenarios to provide as much information as possible.

Mr. Scarey reviewed two informational maps prepared by staff outlining properties that may potentially be impacted by the rezones. The first included information as follows: (1) Properties zoned single family not large enough to be subdivided (7,200 to 14,399 square feet); (2) Properties zoned single family large enough to be subdivided (14,400 to 17,999 square feet/a total of two); (3) Properties zoned single family of 18,000 square feet or larger (large enough to site townhomes/a total of five). The second map compares the property taxes on three sets of two comparable properties, both in single family use, one zoned single family (UL7200) and one zoned multifamily (UH-1800). The appraised property values for those zoned single family is significantly higher, in one case \$55,000 higher.

It was suggested that, as an additional option, property owners be given 60 days to revert back to residential if the City Council approves the rezone proposal. Future rezones would be subject to the City's established rezone process. However, the station area plan was adopted to stimulate new development, and developers may choose to go elsewhere if appropriate rezones are not in place.

Discussion was held about various alternatives to gain additional information regarding property tax impacts; owners appealing their property tax assessment; the difference between assessed value and market value; and consolidating single family properties to site townhomes.

Timothy Wilson, 15059 32nd Place South: Mr. Wilson stated that his land assessment has increased nearly 400% since 2004. He is very concerned about additional increases as a result of the rezoning, and supports the option of rezoning in the future at his own

expense. Mr. Wilson is in the process of going door to door gathering signatures on a petition to reassess the City-initiated rezone proposal.

Steve Pinto, 3741 South 192nd Street: Mr. Pinto suggested that the state legislature address revising property tax rates, and that owners have a right to know what the tax assessment would be if their property were rezoned to a higher density. Mr. Pinto is concerned that there isn't much property left in the City and more residential will have to be compressed into existing areas, possibly eliminating single family homes.

Earl Gipson, 17050 51st Avenue South: Mr. Gipson asked about the cost of a rezone. (Answer: Approximately \$10,000.) Mr. Gipson suggested an option to rezone property upon its sale. The analyses prepared by staff does not provide sufficient information to make a determination about whether or not property taxes would increase as a result of rezoning. He suggested letters and phone calls may get a response from King County. It would be helpful to have a representative from the tax assessor's office make a presentation to the City council regarding potential property tax impacts.

A motion was made and seconded that the Planning Commission's initial recommendation to the City Council not be changed. Discussion was held and a vote taken. The motion carried three to two. (Lucas, Dantzer, McDonald for/Forschler, Chapin against.)

5. Old Business:

A. Continued Discussion about the 28/24th Avenue Project Local Improvement District

Mark Johnsen advised that the Port of Seattle has not yet submitted a rezone application for a property assessed at a lower rate during the above referenced LID process, so any discussion at this point is hypothetical. Once an application has been submitted, the process would take several months culminating in a decision by the Hearing Examiner. Bond counsel has determined that revisiting the original LID assessments is not possible. However, as part of the rezone process, staff would review traffic impacts and assess the Port accordingly.

Additional information, in the form of exhibits attached to the December 10, 1999 Hearing Examiner decision regarding the initial LID assessment roll, was requested.

Discussion was held about the original traffic impact calculations, specifically those assessed to the Port of Seattle. Some Planning Commission members felt that additional trips generated by the Port's proposed rezone should be assessed to ensure that existing private sector property owners are not negatively impacted. Mr. Johnsen assured the Commission that the City is aware of all the history and controversy

surrounding this proposed rezone, and that all aspects will be considered during the decision-making process.

B. Continued Discussion about Proposed Tree Retention Standards (including review of the staff’s list of “potential options”)

John Schelling reported the City Council has directed that staff and the Planning Commission attempt a compromise on a tree retention recommendation. To that end, Mr. Schelling made a PowerPoint presentation outlining possible revisions to staff’s recommendation based on input from the Commission and the public.

In general, potential revisions to staff’s recommendation include: (1) A covenant required during initial subdivision only, voided following construction; (2) Drip lines of significant trees shown on the plat not required; (3) Require 12% retention of significant trees on the site; (4) Require three trees per lot in addition to 12% significant tree retention; (5) Allow significant trees on sloped sites to be removed (except within sensitive areas) without mitigation; (6) Allow significant trees where utilities are located to be removed without mitigation; (7) Maintain significant tree size thresholds outlined in existing codes.

Discussion was held about the various options and how they may be administered (including properties newly subdivided and remodels increasing the building footprint);and the Planning Commission’s main concern being that property owners maintain the right to manage their private property as they see fit.

The Commission recommended two options from which a property owner may choose i.e. (1) Three trees per lot **OR** (2) 12% of significant trees retained per lot.

Earl Gipson 17050 51st Avenue South: Mr. Gipson suggested that the tree retention regulations, in their entirety, be read into the record.

Revisions will be presented to the Commission at their next meeting. [Note: More preparation is needed so this item will be discussed at a future meeting.]

C. Continued Review and Discussion about the Proposed new Subdivision Code

It was suggested that review of the proposed Subdivision Code be tabled until final tree retention regulations are in place.

Jack Dodge reviewed a document that was provided in the Planning Commission packet highlighting a cross-section of concerns raised, and staff’s response (in some cases modifying the proposed code).

6. Detailed Commission Liaison's Report:

Commissioner Chapin attended a Shoreline Master Plan Update meeting that was well attended by residents around Angle Lake. Answers to discussion questions will be posted on the City's website in the near future.

7. Planning Director's Report:

Jack Dodge reminded the Commissioners about their City-issued email addresses; three Commissioners have not yet activated their sites.

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

Discussion was held about public comments at Planning Commission meetings. It was suggested that the three minute timeline be enforced, comments taken only on the subject currently under discussion, and that the person giving comments have a vested interest in the outcome.

9. Adjournment:

The meeting was adjourned at 9:00 pm.

PLANNING COMMISSION
Minutes of September 8, 2008, Meeting

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

Staff Present: Steve Butler, Planning Director; Jack Dodge, Principal Planner;
Mike Scarey, Senior Planner; John Schelling, 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 July 28, 2008, Meeting:

The minutes will be amended to clarify that items identified for discussion at the September 8 meeting would actually be discussed at a future meeting.

A motion was made, seconded, and unanimously passed to approve the minutes of the July 28, 2008 meeting as amended.

3. New Business:

A. Initial Discussion about a Proposed Zoning Code Amendment regarding Pawn Shops

John Schelling stated that staff has recommended allowing pawn shops in the Community Business, Community Business in the Urban Center, Neighborhood Business, and Industrial zones. He made a PowerPoint presentation and briefed the Commission on the proposed amendment as follows:

- A “Pawnbroker” means and includes every person who takes or receives by way of pledge, pawn, or exchange goods, wares, or merchandise or any kind of personal property whatever, for the repayment of security of any money loaned thereon, or to loan money on deposit of personal property, or who makes a public display of any sign indicating that he has money to loan on personal property on deposit or pledge.

The term “pawnshop” means and includes every place at which the business of a pawnbroker is being carried on.

- Must be closed between the hours of 8:00 p.m. and 7:00 a.m. except each year between December 1 and December 24 when the pawnshop may remain open until 10:00 p.m.

- A pawn shop/pawnbroker may not be located within 1,000' from another pawn shop or check cashing facility
- Firearms shall not be loaned, purchased, or sold by a pawn shop/pawnbroker within 1000' of a school use
- The use of bars, chains, or similar security devices visible from a public street or sidewalk would be prohibited, unless approved by the Director of Planning & Community Development
- A security and surveillance system and an on-line registration approved by the police department would be required
- Require electronic transmittal of pawn tickets to the police department and the use of an electronic driver's license scanner
- All business must be conducted wholly within an enclosed building, except off-street parking or loading
- Require a criminal background check by the police department for owners and employees of pawn shops

Discussion was held about limiting the number of pawn shops by stipulating that not more than one license be granted per 15,000 population (the City's current population is approximately 25,000; therefore, it would be appropriate to "round up" and allow two pawn shops to eliminate potential legal challenge); possible insurance requirements for bars on the windows; prohibiting pawn shops within the City Center, station areas, and the Neighborhood Business zone; revising item number seven under 15.12.110 be to state, "A driver's license scanner that captures the photograph and pertinent information as approved by the SeaTac Police Department shall be used."

Marie Sava, 4216 S. 175th St.: Ms. Sava has spent many years buying and selling at flea markets, on EBay, and antique malls, and is currently working and training with a pawnshop owner in Kent. She believes a pawnshop in SeaTac would benefit the community. Ms. Sava is very conscious of security issues, has agreed to all the City's proposed regulations, will not trade in weapons of any kind, and has committed to keeping the business for ten years. She will offer purchased items on EBay, and occupy the rear portion of the building, while locating an upscale business in the front.

Staff will incorporate suggested changes for presentation to the Commission on September 22.

Steve Butler stated that John Schelling is leaving SeaTac and thanked him for his service to the City. John explained he had accepted a position with the state emergency management division as the Earthquake Programs Manager.

Chair Lucas commended John on his professionalism and suggested the Commission provide him with a letter of thanks.

B. Discussion about a Draft Planning Commission Letter to the City Council Regarding an Ombudsman Process

Discussion was held about the content of the letter. It was agreed that the Commission would convey that both the ombudsman position and revised code enforcement procedures were very important, and they recommend both be implemented as soon as possible. Steve Butler and Chair Lucas will craft a letter for distribution to the City Council.

C. Review of the Planning Commission's 2008 Goals and Initial Discussion about Development of 2009 Goals

This item was tabled until October, after the Commission meets with the City Council.

D. Initial Discussion about Potential Timing and Issues to be Addressed at a Joint City Council/Planning Commission Meeting

It was suggested that a joint meeting between the City Council and Planning Commission be scheduled in early October.

4. Old Business:

A. Continued Review and Discussion about the Comprehensive Plan Amendments

Mike Scarey reported that the City Council established the Final Docket on July 22. Two proposed map amendments were deleted, one in the vicinity of Des Moines Memorial Drive and South 207th Street, and the other on South 198th Street and Military Road South.

Map amendment graphics and text amendment language will be provided at the next meeting, except the Capital Facilities Background Report, a draft of which will be presented at the first meeting in October. The current adoption schedule is as follows: (1) Public hearing on October 27; (2) Planning Commission recommendation on November 10; (3) City Council action on November 25.

B. Continued Review and Discussion about the Proposed New Subdivision Code

Jack Dodge reviewed the most current revisions to the proposed Subdivision Code that were made based on input from stakeholders, the Planning Commission, and the public as follows:

- 4.15.030 D No building permits issued until plat is recorded –The revised code allows one residence to be constructed prior to final plat approval

- 14.16.126 & 14.26.040 Definition of Separate Lot – The revised code codifies methodology based on the King County standard and two State Attorney General opinions
- 14.17.020 A – Lot Line Adjustment upgraded to short plat – Provision removed from the revised code
- 14.17.020 A Short subdivisions upgraded to long subdivisions – Amended to provide specific criteria the Director must use.
- 14.17.040 E Requirement for tree survey – The tree survey will continue to be done by the surveyor
- 14.18.060 B 10 All existing trees within 25’ of the property line must be shown on the face of the plat – This information will not be required if adjacent property owners do not allow entry on their property
- 14.18.060 B 11 Surveyor has to survey 100’ in all directions – Will not be required if adjacent property owners do not allow entry on their property
- 14.18.060 B 13 Requires rockeries and walls within 25’ of the property line be shown on the preliminary plat – Will not be required if adjacent property owners do not allow entry on their property
- 14.19.050 Hammerhead turnarounds for all short plats – May be deferred upon approval by the Fire Department
- 14.19.060 Fencing of private roads – May be waived under specific circumstances
- Side-by-side short plats only allowed in separate ownership – Side-by-side short plats will be allowed regardless of ownership
- 14.24.020 D A new buildable lot created by a lot line adjustment may not be short platted or included in a new lot line adjustment within five years – This section will be deleted.
- 14.24.030 – This section will be deleted

The proposed Subdivision Code differs from the existing King County Subdivision Code as follows:

- Lot Line Adjustments – The proposed code allows adjustments with up to four lots in one application
- Panhandle Lots – The proposed code discourages the use of panhandle lots

- Short Plats Upgraded to Long Subdivision – Allowed in the proposed code if cumulative affects warrant review as long subdivision
- Side-by-Side Short Plats – The proposed code requires joint access easement unless physical conditions of the site prevent it. If developed separately, the first lot to short plat allows access by the second lot when it develops (may not be required based on physical conditions)
- Fencing of Private Access Road in New Short Plat – The proposed code requires fencing unless the adjacent property owner doesn't want it, no windows on existing houses facing the access easement, or if the fencing would require removal of existing trees and landscaping
- Open Space in New Subdivisions – The proposed code requires 7% in long subdivisions of 10 lots or more
- Street Trees in New Subdivisions – Required by the proposed code
- Binding Site Plan Process – Process incorporated into the proposed code
- Buffer Between Subdivisions and Commercial/Industrial Zoned Properties – The proposed code requires a 20' buffer strip
- Allows Certain Modifications to Standards Based on Criteria – The proposed code language provides a mechanism to make a code interpretation

Discussion was held about the Commission delaying a recommendation on the proposed Subdivision Code until after the tree retention regulations are in place; tree drip line requirements within a sensitive area; and potential impacts from trees planted near sidewalks and driveways, particularly roots lifting the concrete.

Steve Butler explained that the public hearing had been continued to September 22. If the Commission determines additional time is necessary for further review, the hearing may be opened and then continued to a future date.

A site visit to generate discussion regarding private street standards may be scheduled for October 13 at 4:30 p.m. The Commission will be contacted via email.

5. Detailed Commission Liaison's Report:

Commissioner Forschler advised that, due to his work schedule, he would be unable to attend Land Use & Parks Committee meetings. Commissioner McDonald may be available to attend in his place.

6. Planning Director's Report:

Steve Butler stated that Burien and Normandy Park Planning Commissions were interested in a joint meeting in October or early November, on a Tuesday or Wednesday.

It was suggested that a joint meeting with the Tukwila Planning Commission would also be helpful, either this year or next.

The September 22 Planning Commission meeting includes two public hearings i.e. pawn shops, and the continuation of the public hearing regarding the proposed Subdivision Code.

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

None.

8. Adjournment:

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

PLANNING COMMISSION
Minutes of September 22, 2008 Meeting

Members Present: Richard Forschler, Tom Dantzler, Roxie Chapin, Melvin McDonald

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 September 8, 2008 Meeting:

A motion was made, seconded, and unanimously passed to recommend the minutes of the September 8, 2008 meeting be approved as presented.

3. Public Hearing:

A. Public Hearing (continued from July 14, 2008) about the Proposed New Subdivision Code

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

Earl Gipson, 17050 51st Ave. S.: Mr. Gipson recommended the actual draft of the proposed subdivision code be provided for the next public hearing (continuation); he expressed concern that only one example was cited for side-by-side short plats within SeaTac. Mr. Gipson requested that he be invited to upcoming stakeholder's meetings.

A motion was made, seconded, and unanimously passed to continue the public hearing about the proposed New Subdivision Code to November 10.

The Vice-Chair continued the public hearing to November 10 at 5:39 p.m.

B. Staff Presentation on the Proposed Zoning Code Amendments regarding Pawn Shops

Jack Dodge reported that currently, no pawn shops are located within the City. State law prohibits precluding pawn shops entirely, but they may be regulated. The proposed amendment would allow pawn shops within the Community Business (CB) and Industrial (I) zones, but prohibited within the City Center and station areas.

Development standards limit hours of operation and location, restrict the sale of firearms near schools and the use of bars on the windows, require a surveillance system approved by the SeaTac Police Department, electronic transmittal of pawn tickets to police, and background criminal checks of owners and employees.

Discussion was held about allowing one pawn shop per 15,000 population; the City's requirement that firearms not be sold within 1000' of a school (state requirement is 500'); and whether or not there should be a minimum distance from casinos.

C. Public Hearing and Planning Commission Recommendation to City Council on the Proposed Zoning Code Amendments regarding Pawn Shops

The Vice-Chair opened the public hearing at 5:56 p.m.

Pam Fernald, 2431 South 133rd Street: Ms. Fernald doesn't believe the City needs a pawn shop, surrounding jurisdictions have them. She stated that, at a recent Land Use & Parks Committee meeting, Chief Graddon agreed to research the definition of a "school" which may include day cares and other institutions. A pawn shop should be located directly on the street, no one under 21 years of age should be allowed, and the requirement regarding a surveillance system should specifically state it includes cameras. Statistics indicate pawn shops should not be sited near casinos.

Earl Gipson, 17050 51st Ave. S.: Mr. Gipson suggested the Commission make a motion to write into the code that one pawn shop would be allowed per 15,000 population.

Molly Richter, 21240 40th Place S.: Ms. Richter works at a pawn shop in Kent that is family-oriented with good lighting and lots of video games and family DVD's; the white interior retractable bars on the windows are unobtrusive. The age of consent in Washington is 18 (allowing no one under 21 is unfair, and possibly illegal). Ms. Richter believes a pawn shop would be a great addition to SeaTac, particularly in light of the present economic situation.

Cynthia Volkman, 13041 24th Ave. S.: Ms. Volkman concurred that legitimate pawn shops have attempted to improve their image by being clearly visible from the street and using bright, welcoming lighting; however, cuts in law enforcement make it important to heavily regulate pawn shops. She is against their being located in the rear of a building and believes pawn shops should be required to forward all transaction and patron identification records to the police, and have surveillance cameras.

E. J. Saba, 4216 South 175th St.: Ms. Saba stated her pawn shop would contain approximately two dozen high quality surveillance cameras (with the ability to monitor the business from home). Locating the pawn shop, with a separate entrance, at the rear of the building would make it more low key; the numerous windows on the International Boulevard side would mean additional security. Ms. Saba stated that Chief Graddon and Officer Reynolds don't believe there would be any negative impacts to the City, and all transaction information (serial numbers, identifying marks, and item descriptions) would be transmitted electronically to the SeaTac police. State law requires items purchased by pawn shops to be stored for 30 days, and that items on which money is loaned be stored for 90 days; therefore, the police would have information on any stolen

property well before it could be disposed of. There will be no firearms in her shop, a decision has not yet been made about knives.

The Vice-Chair closed the public hearing at 6:20 p.m.

Discussion was held about whether or not a pawn shop in such close proximity to an international airport was an asset or a liability; and if requiring a pawn shop to be located on the street was an undue burden on the business owner.

The Commission agreed to approve the proposed zoning code amendment regarding pawn shops with the following restrictions: (1) One pawn shop per 20,000 population; (2) White, interior bars on the windows would be allowed, subject to approval by the Director of Planning & Community Development; (3) No one under 18 years of age is allowed in a pawn shop unless accompanied by an adult.

A motion was made, seconded, and unanimously passed to recommend that the City Council approve the proposed Zoning Code Amendments regarding pawn shops with the restrictions as outlined above.

4. New Business:

A. Review and Recommendation on a Request for a “Waiver” from the Five Acre Minimum Site Size Standard in the Business Park (BP) Zone – Robbins Company Proposed Development of the Former Boulevard Park School Site

Jack Dodge advised that Robbins Company is proposing to locate a building stabilizing business on a 3.88 acre parcel in the vicinity of South 128th Street & 20th Avenue South that would include three buildings (total 46,650 square feet). Staff has reviewed the proposal and recommends the waiver be approved. Mr. Dodge provided a PowerPoint presentation to facilitate review and discussion as follows:

- The purpose of the Business Park zone is to provide a wide range of nonpolluting business activities; light and high technological industries such as biotechnology, nonpolluting light manufacturing, computer technology and communications equipment. Land uses with any significant adverse impacts (excessive noise levels, emitting significant quantities of dirt/dust/odor/radiation/glare or other pollutants) shall be strictly prohibited. Design and development standards will be administered to foster high quality developments.
- Design standards include: (1) 20’ of Type I or II landscaping adjacent to residential use or a public right-of-way; (2) Loading bays screened using building location or screening walls and landscaping; (3) Earth-tones on building exteriors; (4) Modulation of building facades of more than 50’ in length and facing a public right-of-way; and (5) Only incidental outside storage allowed which must be screened from adjacent properties and right-of-ways. (The Robbins Company proposal meets or exceeds all Business Park design standards.)

- Projects of less than five acres may be approved by the City Council after review and recommendation by the Planning Commission. Approval shall be based upon a determination that the project is consistent with the purpose of the zone.

Steve Butler advised that, if the five acre site size minimum standard is waived, then the proposal would be reviewed in more detail (including ingress and egress).

Rod Robbins, 16003 21st Avenue SW, Burien: Mr. Robbins' father started the small family business out of their home in 1952. The business now has over 30 employees with customers in Washington, Oregon, and Canada and has outgrown its current location to the point where it is unsightly. New locations have been considered, but Mr. Robbins wants to locate in this community (not in the industrial zone). If the SeaTac site is approved, all small service trucks and equipment would be housed inside. SeaTac staff have been very helpful and Mr. Robbins believes all remaining issues can be resolved if the site size waiver is approved.

Discussion was held about whether or not the proposal meets the purpose of the Business Park zone. Commissioner Forschler felt it did not meet the purpose of the Business Park zone. Commissioner Dantzler stated that he was involved in initially developing the standards; this project meets the intent and is an excellent fit.

A motion was made and seconded to recommend that the City Council approve the waiver from the five acre minimum site size standard in the Business Park zone to accommodate the Robbins Company proposal. A vote was taken and the motion carried, three in favor and one opposed.

George Fernald, 2431 S. 133rd St.: Mr. Fernald believes the business traffic should enter and exit using South 128th Street. Further, does Mr. Robbins use hydraulic fluids in his equipment?

Mr. Robbins replied that his business abides by all regulations for the handling of fuel and hydraulic fluids.

Mary Koontz, 13802 Military Road S.: Ms. Koontz stated that if the City approves the Robbins proposal, future problems may arise; this business should not be sited adjacent to the park.

5. Old Business:

A. Continued Review and Discussion about the Comprehensive Plan Amendments

Mike Scarey explained that the two pie charts and associated information attached to Map Amendment #A-2 (Exhibit D-2) should actually have been identified as Text Amendment #2.

In response to a question from the Commission, Mike Scarey advised that, although the Commission's recommendation was not to include Map Amendment #A-2 in the Final Docket, the City Council chose to not follow that recommendation and voted to move Map Amendment #A-2 onto the Final Docket for further review. Mr. Scarey reviewed additional information about the future development and provided two illustrative sketches of hypothetical development scenarios taking into account the 28' elevation difference from the street to the rear of the properties.

Cheryl Costello, 3436 S. 162nd St.: Ms. Costello stated they want to build beautiful, affordable, green housing; it is a waste to build single family homes on 7,200 square foot lots three blocks from a transit station (the development would be adjacent to a hotel and an apartment complex). She believes SeaTac is heading in the right direction by increasing density around the transit station

B. Continued Review and Discussion about the Proposed New Subdivision Code

This item was tabled.

6. Detailed Commission Liaison's Report:

None.

7. Planning Director's Report:

Steve Butler clarified the process for Planning Commission members providing input at City Council meetings i.e. making a clear distinction between the Planning Commission's perspective versus personal opinion.

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

In answer to a question, Steve Butler explained that the Port would not be pursuing the proposal for a commercial park and fly on 28th Avenue South.

9. Adjournment:

The meeting was adjourned at 8:00 p.m.

PLANNING COMMISSION
Minutes of October 13, 2008, Meeting

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

Staff Present: Jack Dodge, Principal Planner; Kate Kaehny, Associate Planner;
Julio Diaz, Planning Intern

1. Call to Order:

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

2. Approve Minutes of September 22, 2008, Meeting:

Under “New Business”, the following corrections will be made: (1) In the third paragraph, Rob Robbins will be corrected to Rod Robbins. (2) In the fourth paragraph, a sentence will be inserted stating, “Commissioner Forschler felt it did not meet the purpose of the Business Park zone.” (3) In the fifth paragraph, language will be amended to state, “A vote was taken and the motion carried, three in favor and one opposed.” (4) In the last paragraph, the correct spelling is “Koontz”, and cited should be sited.

A motion was made, seconded, and unanimously passed to approve the minutes of the September 22, 2008 meeting as amended.

3. Public Hearing:

A. Staff Presentation on the Revised Proposed Zoning Code Amendments regarding Pawn Shops

Jack Dodge advised that the City’s legal department had determined that pawn shops could be prohibited. Pawn shops are not currently permitted, but there are numerous such businesses located in adjacent jurisdictions. Pawn shops would be allowed the Community Business and Industrial zones, and prohibited in the City Center and the South 154th Street Station area.

A summary of the proposed development standards is as follows: (1) Pawn shops may not be open between the hours of 8:00 p.m. and 7:00 a.m. except from December 1 to December 24 when they may remain open until 10:00 p.m.; (2) A pawn shop may not be located within 1000’ of another pawn shop or school use; (3) No exterior bars, chains or similar security devices are allowed; inside use of same would be allowed subject to various criteria; (4) Security and surveillance systems and an on-line registration system would be required subject to approval by the SeaTac police department; (5) Use of a driver’s license scanner that captures the photographic record and contact information of the patron would be required; (6) All business must

conducted wholly within an enclosed building; (7) Pawn shop business owners would be subject to City business licensing requirements; (8) The applicant, agents, partners, directors, officers, stockholders, managers, and employees will be subject to a background check to ensure no one associated with the pawn shop has been convicted of any felony charges or crimes connected with organized crime.

It was agreed that the sentence under 15.12.110.A.5 that states, “The bars, chains, or similar security devices shall be black in color” would be removed.

Commissioner Forschler stated that at the last meeting’s public hearing, a citizen had provided a Michigan Law School study about crime related to the existence of pawn shops. The results indicated that, overall, pawn shops were of economic benefit to the community. He was concerned, however, about crime statistics outlined in the report. The Commissioners requested they be provided with a copy of the study.

Discussion was held about stolen property being sold or pawned; the use of an on-line registration system; increased crime in the vicinity of pawn shops; and prohibiting a pawn shop near a check cashing facility.

B. Public Hearing and Planning Commission Recommendation to City Council on the Proposed Zoning Code Amendments regarding Pawn Shops

The Chair opened the public hearing at 5:59 p.m.

Molly Richter, 21240 40th Place South: Ms. Richter works at a pawn shop in Kent that doesn’t see much stolen merchandise because detailed information about both the merchandise and patron are entered into a national database (which police departments around the country can access), and they diligently prosecute if it should happen; she believes stolen property is sold on the street, at swap meets, garage sales, EBay, and Craig’s list. Pawn shops are beneficial, particularly in light of the current economy; not everyone has a good credit history.

E.J. Saba, 4216 S. 175th St.: Ms. Saba stated the name of her pawn shop would be The SeaTac Estates Jewelry & Loan. She asked about whether or not the City could restrict the age of patrons to 21. (The age of consent in Washington is 18.)

In answer to a question, Jack Dodge explained that the King County Zoning Code adopted by the City upon incorporation allowed one pawn shop per 15,000 population; however, the City did not identify any zoning classifications in which pawn shops would be allowed.

The Chair closed the public hearing at 6:10 p.m.

Commissioner Forschler stated he was strongly opposed to allowing pawn shops within the City of SeaTac. Commissioner Lucas disagreed, and stated that many

SeaTac residents work in the service industry at minimum wage and use the bus for transportation; a pawn shop would provide a beneficial service to that segment of the community.

Discussion was held about allowing pawn shops for two years and then re-assessing to determine whether or not they should continue to be allowed.

A motion was made and seconded to recommend that the City Council approve the proposed Zoning Code Amendments regarding Pawn Shops. The results of the vote are as follows: Four commissioners voted; the vote was three in favor and one against. The motion carried. A motion was made, seconded, and unanimously passed to recommend that one pawn shop be allowed per 20,000 population.

4. New Business:

A. Review of Revised Schedule for “Extended S. 154th St. Station Area” Rezones

Kate Kaehny reported that the proposed rezones had been separated into two phases. Phase 1 would apply to properties closest to the light rail station, most are zoned for multifamily or commercial use (scheduled for City Council action on October 14). Phase 2 would apply to the remaining properties, most are zoned single family (scheduled for City Council action November 25).

Concern was raised about the properties east of 30th Avenue South not being broken up in the middle of the block. Ms. Kaehny noted the concern and explained the division was based on existing use.

B. Initial Discussion about Proposed Zoning Code Amendments Regarding Multi-Family Height Bonus Incentives

Jack Dodge reported that Polygon Northwest has submitted a proposal to allow additional height and density incentives to offset environmental constraints on their Orillia Road project. Staff modified the proposal to apply to multifamily zoning citywide (except for the City Center and S. 154th St. Station area), Polygon supports the revised proposal. The proposed amendments would allow for a total maximum density incentive of 30% and a total maximum height incentive of 15'. Additional standards include the following:

- A 20% increase in the allowed number of units and a 5' increase in the maximum allowed height would be permitted if a minimum of 35% of the units are reserved as senior citizen assisted dwellings.
- A 5% increase in the allowed number of units and a 5' increase in the allowed height would be permitted if at least 35% of the units are two bedroom or larger.

- A 10% increase in the allowed number of units and a 15' increase in the allowed building height would be allowed if a condominium homeowner's association restricts the number of rental units.
- A 15% increase in the allowed number of units would be permitted where a minimum of 75% of the parking is underground. A 5' increase in the allowed building height would be allowed where a minimum of 25% of the parking is underground.
- A 5% increase in the allowed number of units and a 5' increase in the allowed building height would be permitted when a minimum of 15% additional recreation and/or open space is provided.
- A 5% increase in the allowed number of units and a 5' increase in the allowed building height would be allowed when additional building design is provided.

In answer to a question, Jack Dodge reported that incentives for additional density based on median income levels were addressed in other sections of the code.

This issue will be presented again on October 27, with a public hearing on November 10. City Council action is anticipated on November 25. (It was suggested that the Commission did not need to see this item on October 27.)

Richard Rollins, Polygon Northwest: Mr. Rollins stated the purpose of their original submittal was to respond to topographic and environment encumbrance issues on their Orillia Road project site. The revised amendments would assist other developers of unique sites within the City, and is similar to incentives offered by other jurisdictions. Polygon supports the proposal as presented.

5. Old Business:

A. Continued Review and Discussion about the Comprehensive Plan Amendments

Kate Kaehny introduced Julio Diaz, Planning Intern, who has a background in planning. Julio has done a great deal of work on the Capital Facilities Background Report.

Ms. Kaehny pointed out the updated portions of the Report which focus on level of service capacity analyses. Most of the information is not current as departments are still preparing their respective budgets, but preliminary figures indicate the City will meet its level of service needs through 2014. A complete, updated Report will be presented to the Commission on October 27 prior to the public hearing.

Commissioner Lucas raised concerns about planned expenditures for two years and potential impacts on residents.

B. Continued Review and Discussion about the Proposed New Subdivision Code

Jack Dodge made a PowerPoint presentation outlining the differences between the King County Subdivision Code and the proposed SeaTac Subdivision Code as follows:

Lot Line Adjustments

King County- No limitation on the number of lots

SeaTac – Adjustments of up to four lots

Panhandle Lots

King County – Allowed

SeaTac – Discourages panhandle lots

Short Plats Upgraded to Long Subdivision

King County – No provisions

SeaTac – Allowed if cumulative effects warrant

Side-by-Side Short Plats (private access easement)

King County – May use two separate access easements

SeaTac – Requires joint access easement unless physical conditions prevent it

Fencing of Private Access from Adjacent Property in new Short Plat

King County – No fencing required

SeaTac – Required unless the adjacent property owner declines, or there are no windows facing the road

Open Space in New Subdivisions

King County – 10% required for 100 lots or more

SeaTac – 7% required for 10 lots or more

Street Trees in New Subdivisions

King County – Not Required

SeaTac – Required

Binding Site Plan Process

King County – Not adopted by the City

SeaTac – Binding Site Plan Process Incorporated

20' Buffer Strip between Subdivision and Commercial/Industrial Properties

King County – Not Required

SeaTac – Required

Allows Certain Modifications to Standards Based on Criteria

King County - Allowed

SeaTac - Allowed

The presentation also included information regarding short plat-related requirements outlined in the 2007 King County Road Standards which the City has adopted. RCW 58.17.060 in part, states “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.”

A public hearing before the Commission will be held on November 10.

Discussion was held about scheduling a field trip for the Commissioners to view examples of road standards that would apply to three to four lot short plats and side-by-side short plats. They were asked to notify Jack about their availability.

C. Continued Discussion about Potential Issues to be Addressed at the November 4, 2008 Joint City Council/Planning Commission Meeting

Discussion was held about possibly rescheduling the meeting to December 9. The Chair asked the Commissioners to submit proposed agenda items.

6. Detailed Commission Liaison's Report:

None

7. Planning Director's Report:

It was agreed that Commissioner Chapin would present the Planning Commission position on pawn shops at the October 14 City Council meeting.

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

None.

9. Adjournment:

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

PLANNING COMMISSION
Minutes of October 27, 2008, Meeting

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

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 13, 2008, Meeting:

A motion was made, seconded, and unanimously passed to approve the minutes of the October 13, 2008 meeting as presented.

3. Public Hearing:

A. Staff Presentation on the 2008 Final Docket of Proposed Comprehensive Plan Amendments

Mike Scarey reported that the Final Docket contains three proposals to amend the City's Land Use Map: (1) Remove Potential Annexation Area (North Highline); (2) Change Comprehensive Plan designation to Residential Medium Density for properties located at 3436 & 3426 S. 162nd St. (proposal applies to the northern 2/3 of the two properties and would allow a total of eight units @ 3000 square feet); (3) Change Comprehensive Plan designation to Airport for small piece of property located west of 2809 S. 160th Street, and two proposals to amend informational maps in the Comprehensive Plan: (1) Amend Map 1.4 Existing Land Use Map with current information; (2) Amend Map 8.1 Wetland and Stream Classification with current information. Staff recommends the public hearing be continued to November 10 as amendments to the Capital Facilities Background Report will be presented at that meeting. It was agreed that all the text amendments would be reviewed together on November 10.

Staff recommendation is to adopt all amendments except Transportation Element Text Amendment #8, Include new Transportation Policy to address street connectivity – staff recommendation is to withdraw. Staff will review the proposed changes to Map Amendment #A-2, and likely recommend approval.

B. Public Hearing on the 2008 Final Docket of Proposed Comprehensive Plan Amendments

The Chair opened the public hearing at 6:17 pm.

Gary Hall, 3436 S. 162nd St.: Mr. Hall wanted to ensure that everyone had been provided with the letter and sketches amending Map Amendment #A-2 that would allow for development of small lot single family only.

Earl Gipson, 17050 51st Ave. S.: Mr. Gipson stated this was the first time he'd heard about the wetland delineation and the first time he'd seen the new map. There is currently an outstanding code violation for filling the wetland next door, so he believes it is not appropriate to change anything until that has been resolved. He asked that the Planning Department provide information on issues to allow for public review and comment prior to a public hearing and Planning Commission recommendation to the City Council.

Steve Butler explained that the wetlands on the map were shown in the general vicinity and were intended as informational, not site specific. Further, the apparently "new wetlands" shown on the map are not new, they are existing wetlands that have recently come to the attention of the City, the map was updated accordingly.

Mike Scarey stated that amending Map 8.1 Wetland and Stream Classifications Map (Map Amendment #B-2) was included in the Preliminary Docket which the Commission reviewed in April or May. The Commission recommended it be carried forward onto the Final Docket; the City Council concurred when they adopted Final Docket in late June.

Lengthy discussion was held about updates to the Wetlands and Stream Classification map. Concern was raised about property owners being notified, and the loss of developable area. Jack Dodge explained that, in most cases, the City becomes aware of existing wetlands not shown on the map when permit applications are submitted and the wetland is delineated by a wetlands biologist hired by the property owner (and verified by the City). There are potential development impacts because of regulations regarding wetlands and buffers. However, the property owner may be granted a reasonable use exception to minimize impacts. There is currently a building permit moratorium in the wetland area adjacent to Mr. Gipson's property until drainage issues are resolved.

The Chair closed the public hearing at 6:31 pm.

Steve Butler reminded the Commission about continuing the public hearing. A motion was made, seconded, and unanimously passed to re-open the public hearing and continue it to November 10.

4. New Business:

A. Initial Review of Updated Townhouse Standards and Multi-Family Zoning Code Amendments

Kate Kaehny stated that it is important that the townhouse, duplex, and multifamily standards be reviewed and updated as appropriate to ensure high quality development not only within the station area, but citywide. Ms. Kaehny made a PowerPoint presentation and reviewed the proposed standards as follows:

Townhouse & Duplex Standards

- Development Site Size – Revised from 18,000 square foot minimum to 15,000 square foot minimum
- Building Design – Revise building façade requirement so all sides of townhouse projects are treated with architectural detail, especially street frontages; Require all units to have minimum ground level living space of at least 150 square feet
- Open Space – Keep requirement for 400 square feet per unit, requiring 300 square feet to be provided as private or common open space and 100 square feet of private amenity space
- Use Charts – Revise Use Charts so townhouse and duplex uses are not allowed in the highest commercial and residential zones

Multifamily Standards

- Major Development Requirement – In the S. 154th St. Station Area, change major redevelopment requirement from 50% to 25% of gross square footage of the existing building(s) or site
- Building Orientation – Change requirement so new multifamily developments are oriented to private and public streets
- Building Design – Add requirement that all sides of a building open to public view include architectural treatments; Change blank wall requirement to ensure that blank walls visible to the public are screened or treated
- Residential Building Transitions – Add requirement for building height of structures abutting townhouse zones to transition in such a way as to enhance opportunities for light, views, and privacy of neighboring townhouses

The City Council is scheduled to review this issue on November 4. The Planning Commission will hold a public hearing and make a recommendation on November 10. The Land Use & Parks Committee may review the issue on November 20. Council action is anticipated on November 25.

Discussion was held about potential impacts of lowering the minimum lot size; consideration of property owners with lots of less than 15,000 square feet who do not wish to sell at this time, and may have townhouse developments constructed on either side which could lower their property value (staff indicated these types of scenarios

would be addressed); and that at the public meetings some people wanted to redevelop and some wanted to stay in their homes.

5. Old Business:

A. Continued Review and Discussion about the Proposed New Subdivision Code

Jack Dodge reported that a stakeholders meeting was held on Friday, October 24. Good progress was made, and many helpful comments were received which will be reviewed for possible inclusion in the proposed subdivision code. An updated draft identifying revisions, along with a matrix outlining comments, will be provided to stakeholders, interested parties, and the Commission for their next meeting.

Discussion was held about tree retention requirements outlined in the subdivision code. Mr. Dodge explained revisions regarding drip lines had been made; however, in any event, all trees within sensitive areas and buffers will still be subject to the City's sensitive areas regulations.

Steve Butler stated that the direction from the Land Use & Parks Committee regarding tree retention regulations was for staff and the Planning Commission to compromise and present one recommendation to the City Council.

Discussion was held, and it was agreed that a field trip would be scheduled for late Friday afternoon, November 7 for the Commissioners (and stakeholders) to visit various sites to review issues related to private road construction and short plats.

B. Continued Discussion about Potential Issues to be Addressed at the December 9, 2008 Joint City Council/Planning Commission Meeting

The Chair asked the Commissioners to provide potential agenda items as soon as possible.

Discussion was held about whether or not the Commission wished to revisit their recommendation to the City Council regarding pawn shops. It was determined their current recommendation would stand.

Lengthy discussion was held about the Robbins Company proposed development in the Business Park zone in the northwestern portion of the City. Discussion items included: (1) Historical comments regarding the original intent of the Business Park zone; (2) Whether or not the Robbins Company was a construction company; (3) The current economic conditions; (4) Potential impacts of siting the business at the proposed location (both positive and negative); (5) An emergency community meeting regarding this issue called by Councilmember Fisher; (6) Potential spills into a nearby aquifer; and (7) Conditions that could be attached to mitigate potential impacts.

Pam Fernald, 2431 S. 133rd St.: Ms. Fernald stated that at a recent City Council meeting, Councilmember Anderson reminded everyone that their intent was to allow pizza parlors, small restaurants, and family-oriented businesses in the Business Park zone. She also stated that the aquifer was located right next door to the proposed site, so spills could get into the water supply within days.

6. Detailed Commission Liaison's Report:

Further discussion was held about tree retention issues discussed at the November 16 Land Use & Parks Committee meeting. Steve Butler reiterated the direction that staff and the Planning Commission come to a compromise on a recommendation.

Commissioner Lucas stated that the City of Burien was considering rezoning in the vicinity of South 144th Street and Des Moines Memorial Drive to accommodate car dealerships now located on First Avenue South.

7. Planning Director's Report:

Steve Butler stated that the next Planning Commission meeting was scheduled for November 10. It was agreed that the second meeting in November would be rescheduled to November 17 (with no meeting on November 24).

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

None.

9. Adjournment:

The meeting was adjourned at 8:00 p.m.

PLANNING COMMISSION
Minutes of November 10, 2008 Meeting

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

Staff Present: Steve Butler, Planning Director; Jack Dodge, Principal Planner; Mike Scarey, Senior Planner; Dennis Hartwick, 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 October 27, 2008, Meeting:

On page two, the last sentence of the sixth paragraph will be amended to read, “There is currently a building permit moratorium in the wetland area adjacent to Mr. Gipson’s property until drainage issues are resolved.”

A motion was made, seconded, and unanimously passed to recommend approval of the October 27, 2008 minutes as amended.

3. Public Hearing:

A. Public Hearing (Continued from October 24, 2008) and Planning Commission Recommendation to City Council on the 2008 Final Docket of Proposed Comprehensive Plan Amendments

The Chair opened the continuation of the October 27 public hearing at 5:37 p.m.

Mike Scarey began by outlining an update to Map 8.1, Wetland & Stream Classifications. As a result of comments received from an outside agency, a classification has been added i.e. “Class 2 Stream – Perennial; Salmonid Present (100’ Buffer)” that will apply to two existing streams within the City. The first is Miller Creek on Port of Seattle Property in the vicinity of Des Moines Memorial Drive and South 156th Way; the second is a portion of Des Moines Creek located west of 28th Avenue South between South 200th Street and South 208th Street.

The Growth Management Act requires cities to include a Capital Facilities element in their Comprehensive Plan, and all projects must be fully funded and based on adopted levels of service. SeaTac incorporated a six year plan (currently 2009 through 2014), and defines its capital facilities as those that cost \$25,000 or more and have a ten year life span. Sections include city hall, parks and recreation facilities, fire

services, surface water management, transportation, and station area implementation. Mr. Scarey briefly reviewed projects outlined in each section.

Earl Gipson, 17050 51st Ave. S.: Mr. Gipson is concerned about current changes to classifications and buffers. He asked whether or not affected property owners were notified and what mechanism in the code required that notification. He then spoke to a wetland delineation review on two map amendments for which final studies have not yet been completed, and stated that staff has indicated that the wetland and stream classifications are for reference only; however, when a stream is reclassified in the Comprehensive Plan, it becomes law. The buffer has been changed from 50' to 100' so the property owner is now encroaching on that buffer. Was that property owner notified? What is the mechanism for notifying property owners and where in the Comprehensive Plan does it say the map is for reference only?

Mr. Scarey reiterated that property owners were aware of the designations because they were made based on studies related to permit applications for those properties.

Steve Butler explained that the Comprehensive Plan itself is not regulatory.

Mr. Gipson disagreed with Mr. Butler and asked that the public hearing be continued.

Hearing no further requests to speak, the Chair closed the public hearing at 6:17 p.m.

Discussion was held about ensuring that Mr. Gipson's concern about notifying property owners is addressed; that, in light of the current economic climate, all capital facilities projects should be fully funded to ensure that residents and business owners are not subject to additional taxes; and the Commission is not aware of all aspects of budgeting, so it is not their prevue to make a determination about potential tax increases.

A motion was made and seconded to recommend that the City Council approve the 2008 Final Docket of Proposed Comprehensive Plan Amendments with a cover letter expressing the Commission's concerns about the economic climate and the costs outlined in the Capital Facilities Plan. A vote was taken, the vote carried, four in favor and one abstention.

B. Public Hearing (Continued from September 22, 2008) and Planning Commission Recommendation to City Council on the Proposed New Subdivision Code

The Chair opened the continuation of the September 22 public hearing at 6:30 p.m.

Jack Dodge provided a PowerPoint Presentation, and briefly reviewed significant revisions made to the 8/8/08 version based on Planning Commission and public input, which resulted in the current 11/10/08 version.

Lot Line Adjustments

The number of lots would be limited to four to minimize potential access issues, and impacts to adjacent property owners.

Panhandle Lots

Discourages their use to avoid traffic impacts resulting from multiple access points off one public street, and the potential for slowing emergency response times.

Upgrading Short Plat to Long Subdivision

Criteria to determine if cumulative effects justify an upgrade include: (1) If three or more side-by-side short plats are proposed to be developed within one year; (2) More than 16 lots would have access to the private access easement; and (3) A new through street connecting to existing public rights-of-way where two or more adjacent short plats are proposed at the same time.

Side-by-Side Short Plats (Developed at Separate Times)

One shared 30' wide access would be required unless physical conditions on the site prevent it to reduce impervious surface, reduce maintenance costs, and eliminate potential traffic impacts.

Fencing

Required if adjacent properties are impacted by light pollution or noise. Not required if adjacent property owner does not want the fence, if there are no windows on the side of houses facing the easement, or if the fencing would require removal of landscaping or trees.

Open Space

7% in subdivisions of 10 lots or more; street trees are required

Binding Site Plan

Would be required, including a 20' buffer between commercial and industrial properties. An allowance for modifications to address unforeseen circumstances is included.

Earl Gipson, 17050 51st Avenue South: Mr. Gipson stated that discouraging panhandle lots may be a policy decision under the prevue of the City Council rather than the planning department. The word "should" is more appropriate than "shall" used in the context regarding shared access.

Ben Newton, 4463 South 175th Street: Mr. Newton stated there are still differences between the stakeholders and planning department regarding road widths, particularly side-by-side short plats. Eight lots is the maximum; a more typical development would be two two-lot short plats serving three or four houses generating approximately one car per hour. A 30' wide access easement is the same width as many public roads. People drive faster on wider roads, thereby putting children walking or playing at risk.

Further, pavement costs are higher and grade changes may increase retaining wall costs. What has been required by the City for the past six years is a 20' wide easement (15' paved 5' gravel) that lessens runoff into the City's storm drainage system and gives the developer additional flexibility. The 10' of property taken could be better used to build nicer homes with better landscaping. The Seattle Fire Department is able to negotiate narrow residential streets with parking on both sides. Mr. Newton stated a lot of issues remain unresolved that should be addressed before the subdivision code is approved.

Daryl Tapio, 16833 40th Lane South: Mr. Tapio distributed his written comments to the Commission and staff, and stated that much progress had been made. He suggested the public hearing be extended to allow time for further in-depth review of the lengthy proposed subdivision code, and to address additional issues that have not been resolved. Road widths are important due to limited space available to develop in SeaTac; other cities, such as Portland, are allowing residential streets to be 20' wide with parking on one side to encourage neighborhood character, save vegetation, reduce storm water runoff, improve traffic safety, and reduce construction costs. The regulations in SeaTac are such that a developer typically needs to meet with public works staff to get clarification; the City needs a clear document that identifies all requirements and details. Mr. Tapio disagrees with the requirement that proposed short plat developments survey property 100' in all directions. In some cases it may be necessary, but in most cases would simply mean additional costs to the developer.

Hearing no further requests to speak, the Chair closed the public hearing at 6:58 p.m.

Jack Dodge explained that the sheet flowing of water into lawns is a common practice within SeaTac and other cities which is inexpensive and minimizes runoff into storm drains. Further, the fire department requires a 20' wide easement, but under certain circumstances allows 15'.

Discussion was held about allowing an easement of 15' total width; SeaTac fire department requirements, and whether or not they are similar to requirements in other jurisdictions; potential impacts of illegal parking in access easements; low impact development; sidewalks on private access easements; stakeholder comments that have not been incorporated into the 11/10 version; 1000' public noticing requirements relative to lot line adjustments; state laws governing safety concerns in short plats that states, "Cities, towns, counties shall include in their short plat regulations and procedures pursuant to subsection one provisions for considering sidewalks and other planning features that assures safe walking conditions for students who walk to and from school" and whether or not allowing narrower easement widths or other traffic calming measures such as speed bumps would meet the intent of that requirement; and clearly delineating pedestrian areas from vehicle areas, and that children will play and walk in the roadway in any event.

Steve Butler stated the City Council is tentatively scheduled to take action at their December 9 meeting. It would be helpful if the Commission would indicate exactly what language in the proposed subdivision code they disagree with, and provide alternative language. If agreement is not reached, the presentation to the Council may include the staff position, and the Commission position presented by one of the Commissioners.

It was suggested that the issue be postponed until early 2009 to allow additional time for discussion and review by the stakeholders. Commissioner Lucas asked that direction regarding the Commission's position be provided to staff tonight to facilitate a comparison between the Commission's position and staff's position on December 8.

Commissioner Forschler suggested a 12' road width with 5' gravel in short plats, and that he would be in favor of that road width for subdivisions also (the 16 lot Traditions subdivision was used as an example). He further stated numerous issues remain unresolved.

A motion was made and seconded that the Planning Commission recommend a 15' wide paved access easement on short subdivisions of four lots or less, and a fence would be constructed upon agreement by all affected property owners who will then share the expense. A vote was taken, four in favor and one abstention.

Steve Butler asked that the Commission clarify whether or not this recommendation includes side-by-side short plats (developed separately or simultaneously); staff is proposing shared access unless site conditions prevent it.

Additional discussion was held about side-by-side short plats developed separately and how best to ensure all affected parties are treated fairly and share expenses; potential impacts of illegal parking within access easements, particularly enforcement; and appropriate criteria whereby the 100' survey may be required for short plat development.

C. Staff Presentation on Proposed Zoning Code Amendments Regarding Multi-Family Height bonus Incentives

Jack Dodge stated that staff had worked with Polygon Northwest to develop bonus incentives to allow for equivalent densities on multifamily properties containing sensitive areas or other impediments that prevent a site from being developed to its highest allowable density. Bonuses (height and density percentages are roughly equal) are based on such things as senior housing, a mixture of unit types, condominium owner-occupied housing, underground parking, outdoor recreation and open space, and architectural design. Staff feels these incentives can be implemented Citywide and result in high quality developments; developers have the option to take advantage of the bonuses if they wish.

D. Public Hearing and Planning Commission Recommendation to City Council on Proposed Zoning Code Amendments Regarding Multi-Family Height Bonus Incentives

The Chair opened the public hearing at 7:56 p.m.

Richard Rawlings, Polygon Northwest: Mr. Rawlings stated that Polygon Northwest supports the proposed amendments, they will provide a good tool for constrained sites.

Hearing no further requests to speak, the Chair closed the public hearing at 7:58 p.m.

A motion was made, seconded, and unanimously passed to recommend that the City Council approve the Proposed Zoning Code Amendments Regarding Multifamily Height Bonus Incentives as presented.

E. Staff Presentation on Proposed Zoning Code Amendments Regarding Townhouse/Multi-Family Standards Update and Related Zoning Code Amendments

Kate Kaehny provided a PowerPoint presentation to facilitate discussion and illustrate the type of townhouse development the City envisions i.e. a pedestrian-friendly environment with buildings oriented to the street that have aesthetically pleasing architectural features, ground floor living space, private and common open space, and garages in the rear.

F. Public Hearing and Planning Commission Recommendation to City Council on Townhouse/Multi-Family Standards Update and Related Zoning Code Amendments

The Chair opened the public hearing at 7:59 p.m.

Richard Rawlings, Polygon Northwest: Mr. Rawlings stated that he had met with staff to review the proposed standards. He pointed out that new townhomes would no longer be allowed to locate garages in the front which will result in an aesthetically pleasing development, but the additional amount of paving to accommodate garages in the rear would encroach on developable lot area.

Hearing no further requests to speak, the Chair closed the public hearing at 8:00 p.m.

Prohibiting garages in the front, and skyrocketing pavement and asphalt costs were discussed at length. The City needs to provide options to encourage good developers to site their projects in SeaTac.

Dennis Hartwick explained that language in Section 15.39.010, item C states, “In order to provide flexibility and creativity of project designs, departures from these design

standards may be permitted subject to the approval of the Director of Planning & Community Development providing: (1) The strict interpretation or application of these design standards would be inconsistent with related provisions of the Zoning Code or would be contrary to the overall goals and objectives of the Comprehensive Plan; or (2) The departure creates a project design that better meets the overall purpose and intent of the design standards.”

It was suggested that the language under item two be amended to read, “The departure creates a project design that meets or exceeds the overall purpose and intent of the design standards.”

A motion was made, seconded, and unanimously passed to recommend that the City Council approve the Proposed Zoning Code Amendments Regarding Townhouse and Multi-Family Standards Updates and Related Zoning Code Amendments as amended above.

4. Old Business:

A. Update on Shoreline Master Program

SeaTac received a \$60,000 grant from the Washington Department of Ecology to conduct a comprehensive Shoreline Master Program (SMP) update. The Shoreline Inventory Report provided to the Commissioners describes existing biological and physical conditions, and an analysis and characterization of the inventory information which will serve as a baseline for future development. The City will be required to demonstrate that its updated SMP yields “no net loss” in shoreline ecological functions relative to the baseline due to its implementation; ideally a net improvement will result.

The SMP Citizen’s Advisory Committee (CAC) has met twice to date; future CAC meetings and public hearings will be held, the information will be posted on the City’s website as dates are finalized. The Planning Commission will be briefed as appropriate.

B. Continued Discussion about Potential Issues to be Addressed at the December 9, 2008 Joint City Council/Planning Commission Meeting

Steve Butler stated that all boards and committees are required to report to the City Council each year regarding their accomplishments from the past year and goals for the coming year.

Discussion was held about prioritizing agenda items as a one hour meeting is typically not sufficient to address more than a few issues. The Chair has requested the Commissioners be invited to a Council retreat to allow more in-depth discussion and direction.

Suggestions for additional agenda items included Capital Facilities funding, and light rail. It was agreed that discussion regarding tree retention would be removed from the agenda.

5. Detailed Commission Liaison's Report:

Discussion was held about reviewing requirements regarding the Business Park zone, with possible modifications to clarify and ensure accuracy.

6. Planning Director's Report:

Steve Butler reported that the monthly Land Use & Parks Committee meeting had been rescheduled to November 20. The next regular City Council meeting is November 25. The next Planning Commission will be held on December 8.

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

None.

8. Adjournment:

The meeting was adjourned at 9:15 p.m.

PLANNING COMMISSION
Minutes of December 8, 2008 Meeting

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

Staff Present: Steve Butler, Planning Director; Jack Dodge, Principal Planner; Bob
Meyer, Fire Chief

1. Call to Order:

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

2. Approve Minutes of November 10, 2008 Meeting:

On page four, Daryl Tapio's testimony will be amended to state, "Road widths are important due to limited space available to develop in SeaTac; other cities, such as Portland, are allowing residential streets to be 20' wide with parking on one side."

On page five, the second paragraph, language will be amended to state, "It was suggested that the issue be postponed until early 2009 to allow additional time for discussion and review by the stakeholders."

A motion was made, seconded, and unanimously passed to approve the November 10, 2008 minutes as amended.

3. Old Business:

A. Continued Discussion about a Final Recommendation to the City Council Regarding the Draft Subdivision Code

A matrix was provided as part of the Planning Commission packet, which outlines the major differences between staff and Planning Commission recommendations.

A suggestion was made that it would be helpful to have another stakeholder's meeting to resolve various outstanding issues. It was determined that the Commissioners would meet with the stakeholders on Monday, January 12 at the beginning of their regular meeting.

Regarding private access roads in short plats of three to four lots, staff is recommending a 20' wide easement, with 15' paved and a 5' gravel shoulder; the Planning Commission is recommending a 15' wide easement with 15' paved. (King County Road standards, adopted by the City, allow the developer to apply for a variance.) Fire Chief Bob Meyer explained that the State Fire Code, adopted by the City, requires a minimum 20' wide, unobstructed, all-weather surface easement;

however, the fire chief/fire marshal have the flexibility to determine “alternate means and methods of protection” (numerous short plat projects within SeaTac have been approved as a result). The applicant has the option to appeal that decision to the Fire Board of Appeals. Chief Meyer further advised that if all portions of a facility could be reached within 150’ of an approved access road (main road), then an access easement would probably not be required, and the apparatus would be parked on the main road.

Fire trucks are 16 ½’ wide with the side equipment cabinets open. It is imperative that the firefighters have sufficient area to access and accommodate their equipment. Further, the road surface must bear the weight of the heavy vehicles. Chief Meyer stated that his recommendation would be a 20’ wide easement with 15’ paved and 5’ gravel.

It was suggested that developers be allowed some flexibility on the 5’ gravel portion of the easement i.e. 2 ½’ on either side of the pavement, all 5’ on one side or the other, etc. Chief Meyer’s preference is 15’ of pavement in the center. (Jack Dodge clarified that for two lot short plats, a 15’ wide gravel easement is normally allowed; no changes to this standard are being proposed.)

Discussion was held about appropriate easement widths for various short plat configurations; the future of the community; the variance/planned unit development application process; potential impacts to developers and property owners; and low impact development.

A motion was made and seconded to confirm the Commission’s original recommendation that on side-by-side short plats developed at the same time, a 20’ wide paved easement be required. A vote was taken, the motion failed two in favor and three against.

A motion was made and seconded to recommend that on side-by-side short plats developed at the same time, a 30’ wide access with 22’ paved and a 5’ sidewalk would be required. A vote was taken, the motion carried three in favor and two against.

Jack Dodge explained that, for side-by-side short plats developed a separate times, the first applicant would absorb the cost of a 20’ wide asphalt access easement. The second applicant would absorb the cost of an adjoining 10’ wide asphalt easement, plus sidewalks. The balance of costs versus developable lot area would be equitable to both parties.

Commissioners made the following suggestions: (1) A latecomer’s fee be charged to the second applicant to ensure equitable treatment of all parties; and (2) The requirement be removed entirely, allowing the affected parties to negotiate between themselves. In the absence of an agreement, separate easements would be constructed.

A motion was made and seconded to recommend that the standard addressing side-by-side short plats developed at separate times be removed from the proposed Subdivision Code. A vote was taken, the motion carried four in favor and one against. A motion was made, seconded, and unanimously passed to recommend that on private access roads in short plats of 3 to 4 lots, a 20' wide easement with 15' paved and a 5' gravel shoulder be required.

Discussion was held about the issue of fencing of private access roads in new short plats from adjacent properties, specifically the cost.

A motion was made, seconded, and unanimously passed to recommend that when fencing of private access roads in new short plats from adjacent properties is appropriate, each property owner would pay 1/3 of the fencing costs along his/her property line with the remainder paid by the developer.

Discussion was held about short plats upgraded to long subdivisions.

A motion was made and seconded to concur with the staff recommendation. A vote was taken, the motion carried four in favor and one against.

It was agreed that the remaining items on the matrix would be voted on subsequent to the upcoming stakeholder's meeting.

Discussion was held about whether or not it would be appropriate for the Commission to conduct another public hearing on the proposed Subdivision Code. It was agreed that the public hearing would be reopened during the Commission's January meeting 12 meeting, after the stakeholder's meeting.

B. Continued Discussion about the Upcoming December 9, 2008 Joint City Council/Planning Commission Meeting (including review of the draft "Planning Commission Goals for 2009")

Discussion was held about additional agenda items. The following items will be brought up for discussion: (1) Governor Gregoire's list of projects to access federal funds in President-elect Obama's stimulus package does not include completion of SR509; and (2) The Port of Seattle is raising the trip fee for businesses into the airport from \$1.25 to \$3.25 per trip which is unacceptable.

The Chair indicated that he would approach Council about the Commissioners possibly attending the upcoming City Council retreat scheduled for Monday, January 26 (in lieu of their regular Commission meeting).

The Commission reviewed their 2009 Goals document, resulting in the following additions/changes: (1) Review of road standards against low impact development principles will be added; and (2) Ensure that, as part of the annual Comprehensive

Plan amendment process, no new taxes are levied against residents or business owners.

4. Detailed Commission Liaison's Report:

Commissioner Forschler attended a Shoreline Master Program Citizen's Advisory Committee meeting and reported that discussion was held regarding potential septic failures, and storm water outfalls.

Discussion was held about Planning Commissioners speaking for the Commission, expressing personal views, and answering questions from Councilmembers at City Council meetings.

A motion was made and seconded that any Planning Commission member present at a City Council meeting or other City meeting is authorized to speak for the Planning Commission, provided they clarify when their own opinions differ from those of a majority of the other Planning Commission members. A vote was taken, the motion carried four in favor and one opposed.

A motion was made to recommend that a City Council decision regarding City-sponsored rezones in the South 154th Street Station Area be delayed until the housing market recovers significantly. The motion died for lack of a second.

5. Planning Director's Report:

The next Planning Commission meeting is scheduled for Monday, January 12. A City Council retreat is scheduled for Monday, January 26, which will bump the Commission from the Council Chambers (second regularly scheduled Planning Commission meeting in January).

The December 9 City Council agenda includes action on Phase Two of the City-initiated rezones in the South 154th Street Station Area, Townhouse/Duplex Standards, and Multifamily Standards.

A Land Use & Parks Committee meeting is scheduled for Thursday, December 11.

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

None.

7. Adjournment:

The meeting was adjourned at 8:45 p.m.