



## CITY COUNCIL MEETING MINUTES

September 13, 2010

**SPECIAL MEETING, Council Chambers**

6:00 p.m.

**REGULAR MEETING**

7:00 p.m.

&

**TRANSPORTATION BENEFIT DISTRICT BOARD MEETING**

7:30 p.m.

(or as soon thereafter as the Council meeting adjourns)

Burien City Hall, Council Chambers

400 SW 152<sup>nd</sup> Street, 1<sup>st</sup> Floor

Burien, Washington 98166

*To hear Council's full discussion of a specific topic or the complete meeting, the following resources are available:*

- Watch the video-stream available on the City website, [www.burienwa.gov](http://www.burienwa.gov)
- Check out a DVD of the Council Meeting from the Burien Library

### **CALL TO ORDER**

Mayor McGilton called the Special Meeting of the Burien City Council to order at 6:00 p.m.

### **PLEDGE OF ALLEGIANCE**

Mayor McGilton led the Pledge of Allegiance.

### **ROLL CALL**

Present: Mayor Joan McGilton, Deputy Mayor Rose Clark, Councilmembers Kathy Keene and Gordon Shaw. Councilmember Jack Block, Jr. was excused. Councilmember Bennett arrived at 6:11 p.m. and Councilmember Krakowiak arrived at 6:12 p.m.

Administrative staff present: Mike Martin, City Manager; Craig Knutson, City Attorney; Gary Coleman, Acting Finance Director; Scott Greenberg, Community Development Director; David Johanson, Senior Planner; Larry Blanchard, Public Works Director; and Monica Lusk, City Clerk.

### **AGENDA CONFIRMATION**

#### **Direction/Action**

**Motion** was made by Deputy Mayor Clark, seconded by Councilmember Shaw, and passed unanimously to affirm the September 13, 2010, Agenda.

### **PUBLIC COMMENT**

Ed Dacy, 2016 SW 146<sup>th</sup> Street, Burien

Mr. Dacy spoke to the Hospitality House Stomp Out Homelessness 9<sup>th</sup> Annual Walk for the Women on September 25.

Chestine Edgar, 1811 SW 152<sup>nd</sup> Street, Burien  
Ms. Edgar spoke to research that states invasive species are brought in by multiple objects that include watercraft. She demonstrated how buffers work and urged the Council to replace the building setbacks in the Urban Conservancy designation and Lake Burien in the Shoreline Master Program.

Bob Edgar, 12674 Shorewood Drive SW, Burien  
Mr. Edgar spoke to the importance of restoring the 15' building setback for Lake Burien in the Shoreline Master Program.

Councilmember Bennett arrived at 6:11 pm.

Councilmember Krakowiak arrived at 6:12 p.m.

Greg Anderson, 15451 11<sup>th</sup> Avenue SW, Burien  
Mr. Anderson spoke to the variety of uses of shorelines in the Puget Sound area. He noted that you cannot cure all Puget Sound ills by putting setbacks on a few people.

Tanya Engeset, 1449 SW 152<sup>nd</sup> Street, Burien  
Ms. Engeset spoke to property rights, public access, floats in the Shoreline Master Program.

Chestine Edgar, 11811 SW 152<sup>nd</sup> Street, Burien  
Ms. Edgar clarified that historically Lake Burien never had lower than a 30' buffer with 15' setback.

#### **CORRESPONDENCE FOR THE RECORD**

- a. Letter Dated August 20, 2010, from Regional Commission on Airport Affairs Regarding Third Runway Noise.
- b. Email Dated August 26, 2010, from Robbie Howell Regarding SMP Draft.
- c. Email Dated August 27, from JoAnn Pasek Regarding Public Access to Lake Burien, Shorewood, and Three Tree Point Waters and Beaches.
- d. Email Dated August 26, 2010, from Chestine Edgar Regarding Shoreline Master Plan/Appendix E.
- e. Letter Dated August 26, 2010, from Winona Deyman Regarding Shoreline Master Plan.
- f. Letter Dated August 24, 2010, from Sandy Gledhill-Young Regarding the SMP.
- g. Letter Dated August 30, 2010, from Janis Freudenthal, Regarding Shoreline Master Plan.
- h. Letter Dated August 30, 2010, from Greg Anderson Regarding the SMP.
- i. Letter Dated August 30, 2010, from Don Warren, Lake Burien Shore Club President and Lake Steward, Regarding Comments for Public Hearing on Burien Shoreline Master Program, Public Hearing Draft.
- j. Letter Dated August 30, 2010, from Chestine Edgar Regarding Shoreline Master Plan (SMP August Draft) Public Hearing.
- k. Email Dated September 6, 2010, from Michael Noakes Transmitting a Letter Dated August 31, 2010, Regarding BMHA Public Forum Comments.

- l. Email Dated September 2, 2010, from Chloe Swain Regarding Public Access to Lake Burien.
- m. Email Dated September 7, 2010, from Stan and Dawn Lemmel Transmitting Letter Regarding Clarification of SW 172<sup>nd</sup> and Maplewild Projects in the City's Six-Year Transportation Improvement Program.

#### **CONSENT AGENDA**

- a. Approval of Vouchers: Numbers 25840 - 26118 in the Amounts of \$1,807,179.96 with Voided Check Nos. 25840 & 25912.
- b. Approval of Council Meeting Minutes: August 2, 2010; August 16, 2010, and August 30, 2010.

#### **Direction/Action**

**Motion** was made by Deputy Mayor Clark, seconded by Councilmember Krakowiak, and passed unanimously to approve the September 13, 2010, Consent Agenda.

#### **BUSINESS AGENDA**

##### **City Business**

In deference to the agenda, City Manager Mike Martin asked if there were any questions regarding his report. There being none, the Council moved on to the next item on the agenda.

##### **Public Hearing on the Preliminary 2011-2012 Biennial Budget**

Mayor McGilton opened the public hearing at 6:20 p.m.

Don Warren, 15702 13<sup>th</sup> Avenue SW, Burien  
Mr. Warren stated he would like to find the informational material so could speak to budget.

There being no further testimony, Mayor McGilton closed the public hearing at 6:22 p.m.

##### **Discussion of Draft Shoreline Master Program**

From the Summary of City Council Comments, City Council Draft dated August 23, 2010:

#### **Direction/Action**

Item No. 1, 20.25.020(3)(f) Shoreline Residential – Councilmembers reached consensus to strike the language “such as importation of invasive species to Lake Burien” where written in the document.

Item No. 4, 20.30.001, Figure 4, Permit Matrix – Councilmembers reached consensus to keep “Shoreline Conditional Use (CU) Permit” for the Personal Wireless Service Facility.

Item No. 7, 20.30.035(1)(b) Public Access – Councilmembers reached consensus to add “that cannot be mitigated” at the end of the sentence.

Item No. 7, 20.30.035(2)(e) Public Access – Councilmembers reached consensus to add “that cannot be mitigated” between “impacts and “incompatible.”

Item No. 9, 20.30.050 Dimensional Standards for Shoreline Development – Councilmembers voted to maintain to 30’ Lake Burien Riparian Buffer and add a 15’ Building Setback to Lake Burien. **Vote** passed 5-1. Opposed, Councilmember Shaw.

Item No. 9, 20.30.050 Dimensional Standards for Shoreline Development – Councilmembers voted to re-establish a 15’ Marine Riparian Building Setback under the Urban Conservancy Designation. **Vote** passed 5-1. Opposed, Councilmember Shaw.

Item No. 14, 20.30.075 Figure 4, Shoreline Uses and Modification Policies and Regulations – Councilmembers reached consensus to add Docks, Piers and Floats-Residential to the Shoreline Permit Matrix requiring a Shoreline Substantial Development Permit (SDP) for the Shoreline Residential and Aquatic designations. Also to add a footnote that private mooring buoys are exempt from the SDP process but shall comply with BMC 20.30.090 (Recreational Mooring Buoys).

20.30.070(2)(b)(ii)(1) Bulkheads and Other Shoreline Stabilization Structures – Councilmembers reached consensus to change “indicates” to “confirms that there is a significant possibility.”

20.30.040(2)(b) Shoreline Vegetation – Councilmembers reached consensus to insert “(except for the maintenance of existing or approved conditions)” between “buffer” and “shall.”

Item No. 8, 20.30.040(2)(a) Vegetation – Councilmembers voted to change “Alterations to vegetation” to “New development” and remove “(except for the maintenance of existing or approved conditions)” and “When allowed.” **Vote** failed 1-4-1. Opposed, Mayor McGilton, Deputy Mayor Clark, Councilmembers Bennett and Keene. Councilmember Krakowiak abstained.

Item No. 8, 20.30.040(2)(d)(vi) Shoreline Vegetation – Councilmembers voted to remove “Replacement.” **Vote** passed unanimously.

20.20.015 Shoreline Public Access Element – Councilmembers voted to add “rights” after “privacy” in Pol. PA 3, PA 4, and PA 8(f). **Vote** passed unanimously.

#### **Follow-up**

Staff will cancel the September 20 Special Meeting and place the adoption of the Shoreline Master Program on the September 27 Consent Agenda.

#### **COUNCIL REPORTS**

No reports were given.

**ADJOURNMENT**

Direction/Action

**MOTION** was made by Deputy Mayor Clark, seconded by Councilmember Krakowiak and passed unanimously to adjourn the meeting at 7:25 p.m.

/s/ Joan McGilton, Mayor

/s/ Monica Lusk, City Clerk