



Burien
WASHINGTON

CITY COUNCIL MEETING AGENDA

December 6, 2010

7:00 p.m.

Council Chambers, 1st Floor
400 SW 152nd Street
Burien, Washington 98166

PAGE NO.

- | | | | |
|---|---|---------------------|-----|
| 1. CALL TO ORDER | 2. PLEDGE OF ALLEGIANCE | 3. ROLL CALL | |
| 4. AGENDA CONFIRMATION | | | |
| 5. PUBLIC COMMENT | Individuals will please limit their comments to three minutes, and groups to five minutes. | | |
| 6. CORRESPONDENCE FOR THE RECORD | a. Response from Lisa Clausen, City Manager's Office, to Email Dated November 8, 2010, from Sheri Joyce Regarding Homeless Neighbors. | | 3. |
| | b. Letter Dated November 17, 2010, from Fire Chief Mike Marrs Acknowledging Jan Vogee, Building Official. | | 5. |
| | c. Responses from Jenn Ramirez Robson, Management Analyst, to Emails Received from Maria Little Regarding Removal of 96 Trees. | | 7. |
| | d. Email Dated November 21, 2010, from Joe Cail Regarding Mario Segale Sewall and Salmon Creek Mitigation. | | 13. |
| | e. Letter Dated November 23, 2010, from Doug and Donna Lynch Regarding Proposed Amendment to Change the Zoning Designation of the Immediate Lake Burien Neighborhood. | | 17. |
| | f. Email Dated November 24, 2010, from Robbie Howell Regarding Comprehensive Plan Amendment 2010-2. | | 19. |
| | g. Email Dated November 28, 2010, from Robbie Howell Regarding Comment for Meeting of 12/6/2010. | | 27. |
| | h. Email Dated November 29, 2010 from Kim (Taylor) Ahlf Regarding Lake Burien. | | 31. |
| | i. Letter Dated December 1, 2010, from Mary Oemcke Regarding Lake Burien Density. | | 33. |

COUNCILMEMBERS

Joan McGilton, Mayor
Jack Block, Jr. Kathy Keene

Rose Clark, Deputy Mayor
Lucy Krakowiak

Brian Bennett
Gordon Shaw

CITY COUNCIL MEETING AGENDA

December 6, 2010

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7. CONSENT AGENDA	a. Approval of Vouchers: Numbers 26740 - 26862 in the Amounts of \$1,337,428.	35.
	b. Approval of Minutes: November 15, 2010, and November 29, 2010, Council Meetings	53.
	c. Motion to Adopt Ordinance No. 549, Amending the 2009-2010 Biennial Budget.	59.
	d. Motion to Endorse the Community Center for Education Results "Road Map" Project.	63.
8. BUSINESS AGENDA	a. Presentation by Bernie Dorsey, Board President, on Highline Public Schools Levy for Replacement of Expiring Educational Programs.	
	b. Presentation of Proposed Public Art Plan.	67.
	c. Motion to Adopt an Ordinance No. 550, Granting Approval of the El Dorado West Retirement Community Rezone Request (1010 SW 134 th Street).	81.
	d. Discussion on Comprehensive Plan Text and Map Amendments and Zoning Map Amendments.	97.
	e. City Business.	141.
	f. Discussion on the Revised 2011 Legislative Priorities.	153.
9. COUNCIL REPORTS		
10. ADJOURNMENT		

Lisa Clausen

From: Lisa Clausen
Sent: Thursday, November 18, 2010 4:56 PM
To: 'Sheri Joyce'
Cc: Public Council Inbox
Subject: RE: Homeless neighbors

Dear Ms. Joyce:

I apologize for the delay in responding. I have made inquiries and have learned that the City does not have the ability to provide shelter but we have a certain number of bus tickets available that we give to people to travel to Seattle, where severe weather shelters are open at the Seattle City Hall and the Frye building as of tonight. Signs providing information on those shelter locations and hours are being posted at the entrances to the Burien City Hall/Library building this evening. City staff also refer people to the "2-1-1" phone number, which people may call regarding available social services and referrals for assistance.

Sincerely,
Lisa Clausen
Burien City Manager's Office

From: Public Council Inbox
Sent: Monday, November 08, 2010 1:47 PM
To: 'Sheri Joyce'
Subject: RE: Homeless neighbors

Thank you for writing to the Burien City Council. Your message will be transmitted to the appropriate staff for response and included in the Correspondence for the Record for an upcoming City Council meeting.

L. Clausen
City Manager's Office

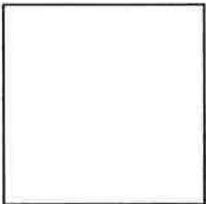
From: Sheri Joyce [<mailto:emssheri@yahoo.com>]
Sent: Monday, November 08, 2010 1:30 PM
To: council@burien.wa.gov; Public Council Inbox
Subject: Homeless neighbors

Hello,

Winter is coming fast and they say it will be the worst since 1955. I wasn't here for that, but I hear it was cold, snowy and LONG.

If you've noticed, we have a growing homeless population here in Burien. I would like to know what kind of outreach and/or shelter preparations are being made for these people. If there are none, now would be a good

CFTR: 12/6/10

time.  Thanks!

Best regards,
Sheri Joyce

King County Fire District # 2

15100 8th Ave. S.W.

Burien, WA 98166

Phone (206) 242-2040 Fax (206) 433-6042

RECEIVED

NOV 24 2010

CITY OF BURIEN

November 17, 2010

City of Burien City Council
400 S. W. 152ndth St.
Burien, WA 98166

Subject: Jan Vogee, Building Official:

Fire Marshal Harm and I would like to extend our appreciation to the City Council for their support of the recently enacted legislation requiring life safety sprinkler systems in newly constructed townhouses and single family residences larger than 3,599 square feet.

Additionally we want to acknowledge Jan Vogee's efforts in working with us in the preparation for the presentations that were made to both the City of Burien's and the City of Normandy Park's Councils. Last week the Normandy Park City Council approved similar legislation that will require life safety sprinkler systems in all newly constructed townhouses and single family residential construction. In addition to Jan's work on the power point presentation Jan took the initiative to create a water usage form that was instrumental in allowing both Water District #49 and Highline Water District to make a reduction of meter fees. Both water districts have made policy changes that will save nearly three thousand dollars for the cost of a 1" meter when it can be shown that the increased meter size to 1" is based solely on the installation of a residential sprinkler system.

Jan is a dedicated public servant whose collaborative efforts towards a common goal are very much appreciated by our department. The effect of her efforts in reducing the cost of these invaluable life safety systems extends beyond our two cities and will impact all of the jurisdictions that these two water districts serve.

In every jurisdiction the relationship that exists between the Building Department and the Fire Department helps define the overall level of fire safety in a community. We are very pleased that we are able to work with a Building Official whose commitment to making our community a safer place for all or it's citizens mirrors our own.

Sincerely,



Mike Marrs
Fire Chief



Bill Harm
Fire Marshal

CFT/R: 12/16/10

cc: Scott Greenberg; Jan Vogee

Lisa Clausen

From: Jenn Ramirez Robson
Sent: Monday, November 29, 2010 5:26 PM
To: maria little; Lucy Krakowiak
Cc: Brian Bennett; Jack Block Jr.; Rose Clark; Kathy Keene; Joan McGilton; Gordon Shaw; Mike Martin; David Johanson; Myron Clinton; eileen.cody@leg.wa.gov; paula mosley; Dennis mcinteer; Dick Loman; ericm@robinsonnews.com; sharon.nelson@leg.wa.gov; joe.mcdermott@leg.wa.gov; daveup@comcast.net; Public Council Inbox
Subject: RE: Ambaum 96 trees removal - no response

Dear Ms. Little,

Thank you for contacting the Burien City Council with your concerns regarding the removal of ninety-six trees along Ambaum Boulevard SW. Your email to the Council was referred to me on November 19 for a response. I apologize that the response has been delayed as I was out of the office all last week. I will try to summarize the City's reasoning for replacing the trees in question.

Sidewalk and curb improvements along Ambaum are part of our larger 2010-2011 Street Overlay Program. Ambaum Boulevard from SW 112th to SW 156th is scheduled for complete resurfacing in the spring and summer of next year. Large sections of the sidewalks and curbs along this stretch are also in need of significant repair. Performing this repair work prior to paving is a more efficient use of resources.

Recently, a landscape architect and project planners performed an inspection in which they identified ninety-six trees, mainly London Plane, that require replacement due to their damaging root systems or due to their rotted condition. Because the roots are causing damage in so many directions, cutting the problem roots would not leave enough stability for the tree. It is my understanding that we attempted in 1998 to prevent further root damage by cutting roots at that time, but those efforts were unsuccessful. It should also be noted that the trees are too old and established to be transferred to another location.

Another consideration for the City is the fact that under the Americans with Disabilities Act (ADA), when streets, roads, sidewalks or walkways are altered in any significant way, such as resurfacing or reconstruction, they must be brought into compliance with these federal requirements for accessibility. Unfortunately the City could not meet those requirements while keeping the current trees in place.

In order to complete the sidewalk and curb repair work this winter the trees will need to be removed sometime before the end of the year. Based on the landscape architect's recommendation, these trees will be replaced with one of the following tree species in the spring:

- Pyrus calleryana 'Glen's Form' / Chanticleer Pear
- Tilia cordata 'Corzam' / Corinthian Linden
- Carpinus betulus 'Fastigiata' / Pyramidal European Hornbeam
-

Thank you again for contacting the Burien City Council with your concerns. If you have any other questions please feel free to contact me at (206) 439-3165 or at jenniferr@burienwa.gov.

Sincerely,

Jenn Ramirez Robson
Management Analyst

CEFR: 12/6/10

City Manager's Office
City of Burien
(206) 439-3165
jenniferr@burienwa.gov
www.burienwa.gov

From: maria little [<mailto:dewatobay@live.com>]
Sent: Sunday, November 28, 2010 11:04 PM
To: Lucy Krakowiak
Cc: Brian Bennett; Jack Block Jr.; Rose Clark; Kathy Keene; Joan McGilton; Gordon Shaw; Mike Martin; David Johanson; Myron Clinton; eileen.cody@leg.wa.gov; paula mosley; Dennis mcinteer; Dick Loman; ericm@robinsonnews.com; sharon.nelson@leg.wa.gov; joe.mcdermott@leg.wa.gov; Jenn Ramirez Robson; daveup@comcast.net
Subject: Ambaum 96 trees removal - no response
Importance: High

Councilperson Krakowiak, thank you for the offer to talk with me. You are the ONLY person who has responded to my concerns about the removal of the 96 trees. If you have answers, I would prefer an email.

My initial dismay was communicated on November 18. I think there has been plenty of time prior to the holiday for a proper response.

The tree removal is a big deal. I would like to know what other options were considered, such as a phased approach, as opposed to TOTAL removal by years end. Was there an environmental impact study done?

Thank you again.

Maria Little
Burien, WA
206-241-1618

Lisa Clausen

From: Jenn Ramirez Robson
Sent: Wednesday, December 01, 2010 10:45 AM
To: maria little; Lucy Krakowiak
Cc: Brian Bennett; Jack Block Jr.; Rose Clark; Kathy Keene; Joan McGilton; Gordon Shaw; Mike Martin; David Johanson; Myron Clinton; eileen.cody@leg.wa.gov; paula mosley; Dennis mcinteer; Dick Loman; ericm@robinsonnews.com; sharon.nelson@leg.wa.gov; joe.mcdermott@leg.wa.gov; daveup@comcast.net; Public Council Inbox
Subject: RE: Ambaum 96 trees removal -thanks

Dear Ms. Little,

It is my understanding that removing the trees all at once is the most effective and efficient way to perform this phase of the project. Thank you for taking the time to voice your concerns and offer your suggestions.

Sincerely,
Jenn Ramirez Robson
Management Analyst
City Manager's Office
City of Burien
(206) 439-3165
jenniferr@burienwa.gov
www.burienwa.gov

From: maria little [<mailto:dewatobay@live.com>]
Sent: Tuesday, November 30, 2010 10:57 PM
To: Jenn Ramirez Robson; Lucy Krakowiak
Cc: Brian Bennett; Jack Block Jr.; Rose Clark; Kathy Keene; Joan McGilton; Gordon Shaw; Mike Martin; David Johanson; Myron Clinton; eileen.cody@leg.wa.gov; paula mosley; Dennis mcinteer; Dick Loman; ericm@robinsonnews.com; sharon.nelson@leg.wa.gov; joe.mcdermott@leg.wa.gov; daveup@comcast.net; Public Council Inbox
Subject: Ambaum 96 trees removal -thanks

Ms. Robson, thank you very much for your reply. You provided basically the same information I read on the Burien B-town blog. I appreciate your confirming that information.

I certainly take no exception with the City's objective of safety. I was just hoping that a more phased approach could be taken. Ninety-six (96) trees is a very high number of trees to be removed in a short period of time. That alone seems to pose some hazard in my opinion.

Did the City consider a phased removal? I'm not trying to be implacable. My concern, simply, is that the removal of ninety-six trees in such a short period of time surely may have some unintended consequences.

Thank you one and all for doing a great job for the citizens of Burien.

CFTR:12/6/10

Maria Little

Lisa Clausen

From: Public Council Inbox
Sent: Friday, November 19, 2010 10:22 AM
To: 'maria little'
Subject: RE: removal of 96 mature trees

Thank you for your message to the Burien City Council. It will be provided to the appropriate staff and included in the Correspondence for the Record for an upcoming Council meeting.

L. Clausen
City Manager's Office

From: maria little [<mailto:dewatobay@live.com>]
Sent: Thursday, November 18, 2010 9:44 PM
To: Public Council Inbox
Subject: removal of 96 mature trees

Is it really necessary to remove 96 mature trees over 28 blocks? Seriously, the sidewalks can be improved without removing so many mature trees.

M.Little
2650 SW 151st Pl
Burien

CETR 12/6/10

Lisa Clausen

From: Public Council Inbox
Sent: Monday, November 29, 2010 12:02 PM
To: 'JoeCail MargaretBarrett'
Subject: RE: Mario Segale Sewall and Salmon Creek Mitigation

Thank you for cc'ing the Burien City Council on your e-mail. Your message will be included in the Correspondence for the Record for an upcoming Council meeting. (I apologize for the delay in responding; staff was not available to check messages last week, due to illness.)

L. Clausen
City Manager's Office

From: JoeCail MargaretBarrett [<mailto:barrettcail@comcast.net>]
Sent: Sunday, November 21, 2010 9:27 PM
To: David Johanson
Cc: Public Council Inbox; angelica; 'Barrett Knudsen'; Bob Edgar; 'Gary Gibson'; Jean Spohn; Joe Cail; Joe Cail (Work); Judi Burke; Judi Burke; 'Kevin DeLashmutt'; Mike Armstrong; Pat Haugen; pattyvknudsen@hotmail.com; Ray Hetrick; Sarah Whitmyre; Tim Wilhelmi
Subject: Mario Segale Sewall and Salmon Creek Mitigation
Importance: High

Mr. Johanson,

Attached is my comment regarding the Segale Seawall Project which abuts the Salmon Creek Watershed. This comment is also being forwarded to the Shorewood on the Sound Community Club Board of Directors. Please add it to the attachments for this permit.

It is interesting that the City of Burien is allowing construction in a sensitive area when the requirements which were brought forth many years earlier for the previous seawall were not followed, either due to lack of inspection or a desire to ignore the proposed guidelines which were established.

The photo captured a very hardy salmon who actually made the difficult journey to the place of origin. They have an incredible sense of smell.

Please contact me if I can be of any further assistance.

Sincerely,

Joe Cail
Director
Shorewood on the Sound Community Club
206.242.6315 home
206.715.1499 cell

CTR: 12/6/10

Joseph R. Cail

12291 Marine View Drive S.W., Burien, Washington 98146

Home: 206.242.6315 Cell: 206.715.1499

barrettcail@comcast.net

November 21, 2010

Dear City of Burien Permit Officials:

This is a request to review the Seawall Restoration Project which has been requested by Mr. Mario Segale on the South side of the Salmon Creek waterway. This project is a continuation of the seawall which is now in place to the North of Salmon Creek which was built in the 1990's. A further request is to provide a habitat which is friendly to the species of fish which would use the Salmon Creek Watershed as their home.

A property owner should have the right to improve their property. This is now the case with the present permit application.

However, community members attended and spoke to the City of Burien regarding the habitat of the Salmon Creek Watershed at the hearing from the early 1990's. A request was given to the City of Burien to restore the creek to a more natural state. It has been improved by the property owners and King County to such a state that it is no longer a habitat that is friendly to the native species of fish. The creek has received very large boulders at the mouth of the creek which block the passage of fish from the Puget Sound to the Salmon Creek Watershed. The creek which runs through the property has also been straightened and covered. I believe that this is changing an existing waterway and should be illegal. The hearing examiner, at the time of the North Seawall Project hearing, stated that there is no evidence that the project proposed by Mr. Segale would impact the creek in any way. The project was allowed to continue without restrictions and apparently inspections.

Since that time about 15 years ago, the North bank of the creek has been cemented. This allows water to flow at a very high runoff rate to the creek. This creates a channel of water which is faster than it would have been in the natural state. This also allows gravel which would be habitat to eggs and nutrient sources to be washed out to the sound. At the very least they would be cleansed of any fish friendly environment. The cementing does not appear to be a project which was intended to help the creek be restored to being a fish friendly habitat.

While I understand the rights of property owners and agree with them, I think that this bulkhead project is directly opposite what the City of Burien is doing next door to the South where it is in the process of removing the seawall bulkheads at

the City of Burien Seahurst Park Complex. Presently the bulkhead to the South of the creek has been removed along the length of the property and the plan is to begin the demolition of the North bulkhead. This is to allow the native species of fish habitat along the coastline of Puget Sound. My understanding is that the current flows faster along the seawalls and creates an environment which is not fish friendly.

There is a reason that Salmon Creek was named Salmon Creek and not Lassiter Creek or Thomas Creek. I think that it had to do with the amount of native fish which were in it. It has some of the purest water in the Puget Sound basin.

It would be beneficial to the Salmon Creek stream habitat if the City of Burien requested that the stream problems be mitigated before construction is allowed to begin or continue.

Please contact me for more information.

Sincerely,

Joe Cail
Resident
Shorewood on the Sound Community Club

November 23, 2010

To: City of Burien Council Members
From: Doug and Donna Lynch
Subject: Proposed amendment to change the zoning designation
of the immediate Lake Burien neighborhood.

Dear, Brian Bennett, Jack Block, Rose Clark, Kathy Keene,
Lucy Krakowiak, Joan McGilton, & Gordon Shaw

As citizens of the City of Burien and specifically long time
members of the Lake Burien area, we would like to go on record as
being in **support of the proposed amendment to change the
zoning designation of the Lake Burien Neighborhood to Low
Density**. The land around Lake Burien must be preserved as is, to
avoid down grading the lake environment due to higher density use
of the lake.

Sincerely,



Doug Lynch

Donna Lynch
15703 13th Ave SW
Burien, WA 98166-2120

CFTTR: 12/6/10

Lisa Clausen

From: Public Council Inbox
Sent: Monday, November 29, 2010 12:04 PM
To: 'Robbie Howell'
Subject: RE: Comprehensive Plan Amendment 2010-2

Thank you for your message. It will be included in the Correspondence for the Record for the next City Council meeting.

L. Clausen
City Manager's Office

-----Original Message-----

From: Robbie Howell [<mailto:robbieh@windermere.com>]
Sent: Wednesday, November 24, 2010 7:07 PM
To: Public Council Inbox
Subject: Comprehensive Plan Amendment 2010-2

Honorable Burien City Council Members:

Attached are comments and some photos we feel are important in the consideration of the 2010 Comprehensive Plan Amendment 2010-2. We ask that you seriously consider our comments which were also presented to the Planning Commission.

Thank you,

Robbie Howell
Your Real Estate Consultant for Life
Windermere Real Estate/South Inc.

Cell~ 206 948 8227
Pager~ 206 244 5925 ext.154
FAX~ 206 241 6837
Web~ www.homesbyrobbie.com

CFTR: 12/6/10

RECEIVED

NOV 29 2010

CITY OF BURIEN

Trees Improve Quality of
Life for Urban Inhabitants

Attached is a photograph of the plaque located in Dottie Harper Park that was installed by the Burien Parks Department. This plaque explains the need for trees in the urban environment and shows that even the city knows this is true. It is even more important to preserve water quality in urban streams and lakes.

This plaque also illustrates why the trees that surround Lake Burien need to be retained. Keeping the lake clean is imperative to maintaining the fish and wildlife, keeping the aquifer from becoming polluted and retaining our property values. The trees around the lake also help clean the air pollution from our urban environment, to the benefit of the whole community.

When we consider that continuing RS7200 zoning around the lake into the future will cause significant trees to be removed from this critical area, and increase the potential pollution of the lake, how can this be good for the community? No one wants to live around a polluted lake. No one wants to pay for restoring a lake environment that has been destroyed. Why risk it?

Think about it.

Robert and Robbie Howell

Robert and Robbie Howell
15240 20th Avenue SW

Nov. 24, 2010

C.F.T.R. = 12/6/10

The Value of the Urban Forest

Improves the quality of urban life

- Provides open green space.
- Gives shelter and shade.
- Feel the cool air in the shelter of a canopy of trees.



Improves Water Quality

- Reduces stormwater runoff.
- Slows down storm flow.
- Improves water infiltration.
- Notice that the park is surrounded by higher ground; water flows to this low area and filters back into the earth.



Provides habitat for wildlife

- Gives shelter and food to birds, raccoons, and squirrels.
- Look for nesting birds and perching hawks and eagles.

Improves Air Quality

- Removes pollutants such as nitrogen dioxide, sulfur dioxide, and carbon monoxide.
- Filters particles out of the air.
- Breathe the fresh air in this island of forest!



t

Improves Water Quality

Photo © Land Image



- Reduces stormwater runoff.
- Slows down storm flow.
- Improves water infiltration.
- Notice that the park is surrounded by higher ground; water flows to this low area and filters back into the earth.



Photo © Ruth Sullivan

Provides habitat for wildlife

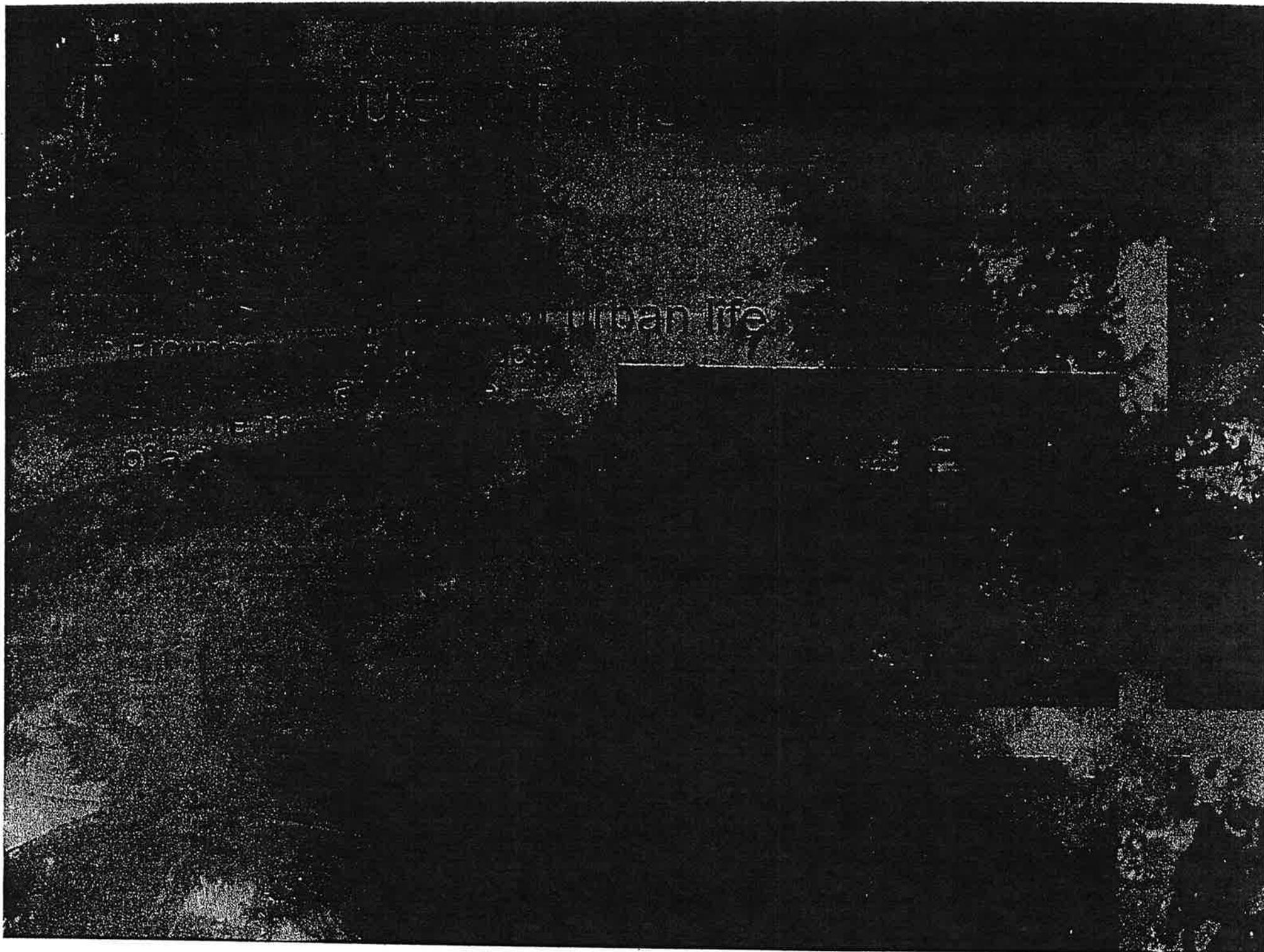
- Gives shelter and food to birds, raccoons, and squirrels.
- Look for nesting birds and perching hawks and eagles.



Improves Air Quality

- Removes pollutants such as nitrogen dioxide, sulfur dioxide, and carbon monoxide.
- Filters particles out of the air.
- Breathe the fresh air in this island of forest.





Lisa Clausen

From: Public Council Inbox
Sent: Monday, November 29, 2010 12:07 PM
To: 'Robbie Howell'
Subject: RE: Comment for meeting of 12/6/2010

Thank you for your message. It will be included in the Correspondence for the Record for the next regular City Council meeting, currently scheduled for Dec. 6.

L. Clausen
City Manager's Office

-----Original Message-----

From: Robbie Howell [<mailto:robbieh@windermere.com>]
Sent: Sunday, November 28, 2010 3:22 PM
To: Public Council Inbox
Subject: Comment for meeting of 12/6/2010

The attached document is for placement in the City Council Packet for 12/6/2010 meeting and for the record.

Robbie Howell
Your Real Estate Consultant for Life
Windermere Real Estate/South Inc.

Cell~ 206 948 8227
Pager~ 206 244 5925 ext.154
FAX~ 206 241 6837
Web~ www.homesbyrobbie.com

CFTR: 12/6/10

To: The Burien City Council
From: Robbie Howell
Subject: Request for a change to the Burien Comprehensive Plan Land Use Map/2010-2

November 28, 2010

My name is Robbie Howell and I have lived in the Burien Community, and the Lake Burien Neighborhood all the years of my life except for 3 years. The concept of neighborhood character has always been the binding and guiding principle of this community. In 1993, when we first became a city, it was the first and most important feature of our doctrine of incorporation. In 1997, it was considered the most important feature of our Comprehensive Plan. And in the 2009 Comprehensive Plan, the concept of neighborhood character still remains the most important feature of the plan. The community likes this feature and we would like to see it followed. A key paragraph from the 2009 Burien Comprehensive Plan, Chapter 1, page 1-9 reads:

Supporting the Character of Existing Neighborhoods

“The most important feature of the plan is establishing a pattern of development that reinforces Burien’s small town character and sustains the character of existing neighborhoods while also protecting Burien’s environmental resources. In the single-family neighborhoods, zoning will be more closely matched to existing densities to protect critical areas from the impacts of development.”

On seventy-nine different pages of the 2009 Comprehensive Plan, the existing character of neighborhoods being protected is discussed. Neighborhoods are considered to be so important that 29 pages of Chapter 6 are devoted to a single neighborhood. The intention of the Burien Comprehensive Plan, ever since it was first drafted, has been to recognize and respect the character of Burien’s existing neighborhoods.

In 1997, the Lake Burien Neighborhood was placed in the Comprehensive Plan as a Low Density Residential Land Use Neighborhood. This designation was based on the existing character of our neighborhood. This was due to the significant amount of critical area in the basin our houses were built upon. In 1999, our neighborhood spoke out at the public hearing, specifically stating that we wished to remain low density. In spite of our comments as a neighborhood, somebody in city hall placed us on the Land Use Map as Moderate Density Residential. This was without consideration for our existing neighborhood character, and without analysis of the constraints of Lake Burien’s wetlands. However, in the text of the Comprehensive Plan, the area still remains Low Density.

The Lake Burien neighborhood clearly contains critical areas. It appears on the Critical Areas Map and we have spent the last two years discussing its critical nature through the Shoreline Master Plan process. The Department of Ecology agrees with the designation of Lake Burien as a critical area.

Once again in 2010, we are speaking as a neighborhood, to reassert that our existing character is Low Density Residential Land Use (3.1 units per acre), and we have critical areas in our neighborhood. We match the majority of the designation criteria in the Comprehensive Plan for Low Density. Clearly there is an error in the Land Use Map for the Lake Burien Neighborhood and we, as a neighborhood, want the Land Use Map corrected.

This request is about supporting the character of existing neighborhoods.. It is the right and power of our neighborhood to request you comply with the intent of the Comprehensive Plan, to sustain the character of existing neighborhoods, while also protecting the

environment of Burien's foremost freshwater resource which is Lake Burien. To accomplish this goal, please vote for the Edgars amendment to correct the Land Use Map.

Thank you.

Lisa Clausen

From: Public Council Inbox
Sent: Monday, November 29, 2010 12:08 PM
To: 'Kim Ahlf'
Subject: RE: Lake Burien

Thank you for writing to the Burien City Council. Your message will be included in the Correspondence for the Record for the next regular Council meeting, currently scheduled for Dec. 6.

L. Clausen
City Manager's Office

-----Original Message-----

From: Kim Ahlf [<mailto:ktahlf@msn.com>]
Sent: Monday, November 29, 2010 7:18 AM
To: Public Council Inbox
Subject: Lake Burien

I have lived on Lake Burien for 40 years. This neighborhood has always been a residential neighborhood. Please change the Land Use Map on the Comprehensive Plan to correctly show it as a Low Density Residential Neighborhood.

Thank You,
Kim (Taylor) Ahlf

CFR: 12/6/10

December 1, 2010

RECEIVED
DEC 21 2010
CITY OF BURIEN

Dear Councilmember,

My name is Mary Oemcke and I have resided on Lake Burien at 1603 SW 152 Street for the past 11 years. Historically, the neighborhood has met the characteristics of a Low Density residential neighborhood. It also meets the current documented criteria of the Comprehensive Plan for a Low Density neighborhood. Accordingly, I would like the Comprehensive Land Use Map to correctly show this neighborhood as Low Density.

Thank you..



Mary Oemcke

CFTR: 12/6/10

COMPUTER CHECK REGISTER

CHECK REGISTER APPROVAL

WE, THE MEMBERS OF THE CITY COUNCIL OF BURIEN, WASHINGTON, HAVING RECEIVED DEPARTMENT
CERTIFICATION THAT MERCHANDISE AND/OR SERVICES HAVE BEEN RECEIVED OR RENDERED, DO HEREBY
APPROVE FOR PAYMENT ON This 6th day of December, 2010 the FOLLOWING:

CHECK NOS. 26740-26862

IN THE AMOUNTS OF \$1,337,428.07

WITH VOIDED CHECK NOS. _____

Accounts Payable
Checks for Approval



User: liliac
Printed: 12/02/2010 - 7:20 AM

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
26740	11/22/2010	General Fund	Office and Operating Supplies	Cardmember Service	231.71
26740	11/22/2010	General Fund	Office and Operating Supplies	Cardmember Service	2,041.83
26740	11/22/2010	General Fund	Office and Operating Supplies	Cardmember Service	39.71
26740	11/22/2010	General Fund	Office and Operating Supplies	Cardmember Service	55.26
26740	11/22/2010	General Fund	Office and Operating Supplies	Cardmember Service	25.90
26740	11/22/2010	General Fund	Miscellaneous	Cardmember Service	-0.77
26740	11/22/2010	General Fund	Registration - Trainng/workshp	Cardmember Service	25.71
26740	11/22/2010	General Fund	Office and Operating Supplies	Cardmember Service	355.01
26740	11/22/2010	General Fund	Office And Operating Supplies	Cardmember Service	134.53
26740	11/22/2010	General Fund	Office and Operating Supplies	Cardmember Service	69.81
26740	11/22/2010	General Fund	Office and Operating Supplies	Cardmember Service	411.90
26740	11/22/2010	General Fund	Office and Operating Supplies	Cardmember Service	43.14
26740	11/22/2010	General Fund	Office And Operating Supplies	Cardmember Service	16.41
26740	11/22/2010	General Fund	Burien Marketing Strategy	Cardmember Service	89.82
26740	11/22/2010	General Fund	Burien Marketing Strategy	Cardmember Service	102.96
26740	11/22/2010	General Fund	Burien Marketing Strategy	Cardmember Service	185.94
26740	11/22/2010	General Fund	Miscellaneous	Cardmember Service	14.89
26740	11/22/2010	General Fund	Senior Trips	Cardmember Service	444.00
26740	11/22/2010	General Fund	Office and Operating Supplies	Cardmember Service	58.61
26740	11/22/2010	General Fund	Office And Operating Supplies	Cardmember Service	425.51
26740	11/22/2010	Surface Water Management Fund	Registration - Trainng/workshp	Cardmember Service	1,530.00
26740	11/22/2010	General Fund	Meals	Cardmember Service	58.48
26740	11/22/2010	Surface Water Management Fund	Registration - Trainng/workshp	Cardmember Service	350.00
26740	11/22/2010	General Fund	Publications	Cardmember Service	85.50
26740	11/22/2010	General Fund	Miscellaneous	Cardmember Service	59.95
26740	11/22/2010	General Fund	Registration - Trainng/workshp	Cardmember Service	100.00
26740	11/22/2010	General Fund	Registration - Trainng/workshp	Cardmember Service	50.00
26740	11/22/2010	General Fund	Office And Operating Supplies	Cardmember Service	80.01
26740	11/22/2010	General Fund	Office and Operating Supplies	Cardmember Service	687.71
26740	11/22/2010	General Fund	Office Supplies	Cardmember Service	131.14
26740	11/22/2010	General Fund	Office and Operating Supplies	Cardmember Service	14.22
26740	11/22/2010	General Fund	Operating Rentals and Leases	Cardmember Service	-36.02
26740	11/22/2010	General Fund	Meals	Cardmember Service	75.00

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
Check Total:					7,957.87
26741	11/22/2010	General Fund	Fuel/gas/gasoline Consumption	Petty Cash Custodian	20.00
26741	11/22/2010	General Fund	Mileage	Petty Cash Custodian	16.75
26741	11/22/2010	General Fund	Travel	Petty Cash Custodian	15.00
26741	11/22/2010	General Fund	Registration - Trainng/workshp	Petty Cash Custodian	25.00
26741	11/22/2010	General Fund	Office/operating Supplies	Petty Cash Custodian	5.45
26741	11/22/2010	General Fund	Fuel/gas/gasoline Consumption	Petty Cash Custodian	10.00
26741	11/22/2010	General Fund	Other Travel	Petty Cash Custodian	11.00
26741	11/22/2010	General Fund	Travel	Petty Cash Custodian	13.00
26741	11/22/2010	General Fund	Mileage	Petty Cash Custodian	7.23
26741	11/22/2010	General Fund	Mileage	Petty Cash Custodian	6.70
26741	11/22/2010	General Fund	Mileage	Petty Cash Custodian	18.00
26741	11/22/2010	General Fund	Travel	Petty Cash Custodian	12.00
26741	11/22/2010	General Fund	Office/operating Supplies	Petty Cash Custodian	27.58
26741	11/22/2010	General Fund	Mileage	Petty Cash Custodian	25.00
26741	11/22/2010	General Fund	Postage	Petty Cash Custodian	20.60
26741	11/22/2010	General Fund	Registration & Training	Petty Cash Custodian	13.00
26741	11/22/2010	General Fund	Registration - Trainng/workshp	Petty Cash Custodian	25.00
26741	11/22/2010	General Fund	Mileage	Petty Cash Custodian	21.50
26741	11/22/2010	General Fund	Travel	Petty Cash Custodian	22.00
26741	11/22/2010	General Fund	Mileage	Petty Cash Custodian	3.00
26741	11/22/2010	General Fund	Repair/maint-vehicle	Petty Cash Custodian	3.00
26741	11/22/2010	Surface Water Management Fund	Other Travel	Petty Cash Custodian	12.50
26741	11/22/2010	General Fund	Mileage	Petty Cash Custodian	21.00
26741	11/22/2010	General Fund	Mileage	Petty Cash Custodian	13.40
26741	11/22/2010	General Fund	Mileage	Petty Cash Custodian	14.00
26741	11/22/2010	General Fund	Citizens Patrol/ Crime Prevent	Petty Cash Custodian	18.60
26741	11/22/2010	Surface Water Management Fund	Other Travel	Petty Cash Custodian	16.00
Check Total:					416.31
26742	12/06/2010	General Fund	Dues/memberships/subscriptions	Attorney & Notary Supply of	115.04
Check Total:					115.04
26743	12/06/2010	General Fund	Professional Services	ABC Legal Messengers, Inc.	64.00
Check Total:					64.00
26744	12/06/2010	Street Fund	Small Tools & Minor Equipments	ACE Hardware	15.41

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
				Check Total:	15.41
26745	12/06/2010	General Fund	Repairs And Maintenance	ADT Security Services	88.88
				Check Total:	88.88
26746	12/06/2010	General Fund	Subscriptions/publications	Attorney's Eagle Eye Service	56.94
				Check Total:	56.94
26747	12/06/2010	General Fund	Operating Rentals And Leases	AIRGAS-NORPAC, INC.	11.03
26747	12/06/2010	General Fund	Rental & Lease	AIRGAS-NORPAC, INC.	11.03
				Check Total:	22.06
26748	12/06/2010	Street Fund	Repairs And Maintenance	Alpine Products, Inc.	1,211.07
				Check Total:	1,211.07
26749	12/06/2010	General Fund	Dues/memberships	American Planning Association	330.00
				Check Total:	330.00
26750	12/06/2010	General Fund	Repair and Maintenance	Appearance Fence Inc	377.63
26750	12/06/2010	Street Fund	Repairs And Maintenance	Appearance Fence Inc	327.90
				Check Total:	705.53
26751	12/06/2010	General Fund	Telephone	AT&T Mobility	18.59
				Check Total:	18.59
26752	12/06/2010	General Fund	Repairs And Maintenance	Allied Waste Services #183	609.85
				Check Total:	609.85
26753	12/06/2010	General Fund	Federal Lobbying Services	Ball Janik LLP	3,900.00
26753	12/06/2010	General Fund	Federal Lobbying Services	Ball Janik LLP	3,900.00
				Check Total:	7,800.00

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
26754	12/06/2010	General Fund	Quarterly Newsletter	Kenneth Barger	165.60
				Check Total:	165.60
26755	12/06/2010	General Fund	Office And Operating Supplies	SAMIR BASMEH	160.00
				Check Total:	160.00
26756	12/06/2010	General Fund	Machinery/eqpt - Noncapitalize	Business Interiors Northwest	1,784.77
				Check Total:	1,784.77
26757	12/06/2010	General Fund	Printing/binding/copying	Philip Hwang Kwang Nam	54.75
				Check Total:	54.75
26758	12/06/2010	Street Fund	Repairs And Maintenance	Bryant's Tractor & Mower, Inc.	52.20
				Check Total:	52.20
26759	12/06/2010	General Fund	Computer Related Supplies	CDW-G	119.42
26759	12/06/2010	General Fund	Computer Related Supplies	CDW-G	270.33
26759	12/06/2010	General Fund	Computer Related Supplies	CDW-G	41.38
26759	12/06/2010	General Fund	Computer Related Supplies	CDW-G	-65.43
				Check Total:	365.70
26760	12/06/2010	General Fund	Small Tools & Minor Equipments	Cintas Fire Protection	639.97
				Check Total:	639.97
26761	12/06/2010	General Fund	Office and Operating Supplies	Clay Art Center, Inc.	258.04
				Check Total:	258.04
26762	12/06/2010	General Fund	Channel 21 Video Production	COMCAST	57.59
26762	12/06/2010	General Fund	Telephone	COMCAST	64.90
26762	12/06/2010	General Fund	Telephone	COMCAST	64.90
				Check Total:	187.39
26763	12/06/2010	General Fund	Fuel/gas/gasoline Consumption	Fleet Services	53.05

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
				Check Total:	53.05
26764	12/06/2010	General Fund	Office And Operating Supplies	Crystal and Sierra Springs	87.04
				Check Total:	87.04
26765	12/06/2010	Street Fund	Utilities - Traffic Signals	City of Seattle	812.82
				Check Total:	812.82
26766	12/06/2010	Street Fund	Operating Rentals And Leases	City of SeaTac	575.00
				Check Total:	575.00
26767	12/06/2010	Street Fund	Office And Operating Supplies	Dell Computer Corporation	893.92
26767	12/06/2010	Street Fund	Machinery And Equipment	Dell Computer Corporation	2,038.90
				Check Total:	2,932.82
26768	12/06/2010	General Fund	Miscellaneous	Dept. of Labor & Industries	103.50
				Check Total:	103.50
26769	12/06/2010	Street Fund	Professional Services	Duncanson Company, Inc.	294.00
26769	12/06/2010	Surface Water Management Fund	Professional services	Duncanson Company, Inc.	294.00
26769	12/06/2010	Street Fund	Professional Services	Duncanson Company, Inc.	2,354.50
26769	12/06/2010	Surface Water Management Fund	Professional services	Duncanson Company, Inc.	2,354.50
				Check Total:	5,297.00
26770	12/06/2010	General Fund	Office And Operating Supplies	Dunn Lumber Co.	4.75
26770	12/06/2010	General Fund	Small Tools & Minor Equipments	Dunn Lumber Co.	5.94
26770	12/06/2010	General Fund	Small Tools & Minor Equipments	Dunn Lumber Co.	83.90
26770	12/06/2010	General Fund	Small Tools & Minor Equipments	Dunn Lumber Co.	129.18
26770	12/06/2010	General Fund	Office and Operating Supplies	Dunn Lumber Co.	69.35
26770	12/06/2010	Surface Water Management Fund	Storm Water Facility Maint	Dunn Lumber Co.	5.02
				Check Total:	298.14
26771	12/06/2010	General Fund	Repairs And Maintenance	Elidrew, LLC	11.83
26771	12/06/2010	General Fund	Repairs And Maintenance	Elidrew, LLC	5.46
26771	12/06/2010	General Fund	Repair/maint-vehicle	Elidrew, LLC	11.83

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
				Check Total:	29.12
26772	12/06/2010	Surface Water Management Fund	Repairs And Maintenance	Everson's Econo Vac	897.95
				Check Total:	897.95
26773	12/06/2010	General Fund	Professional Services	FedEx	5.45
				Check Total:	5.45
26774	12/06/2010	General Fund	Repairs And Maintenance	Foreman's Welding, Inc.	54.50
				Check Total:	54.50
26775	12/06/2010	General Fund	Att Svcs - Litigation - 1st So	Global Construction Services,	11,766.00
				Check Total:	11,766.00
26776	12/06/2010	Transportation CIP	right of way acquisition	Theodore R. Gitner	16,500.00
				Check Total:	16,500.00
26777	12/06/2010	Surface Water Management Fund	Endangered Species Act Study	Good Nature Publishing Co.	467.44
				Check Total:	467.44
26778	12/06/2010	General Fund	Office and Operating Supplies	Grainger	64.61
				Check Total:	64.61
26779	12/06/2010	General Fund	Mileage	SCOTT M. GREENBERG	222.00
26779	12/06/2010	General Fund	Meals	SCOTT M. GREENBERG	21.00
26779	12/06/2010	General Fund	Lodging	SCOTT M. GREENBERG	155.92
26779	12/06/2010	General Fund	Travel	SCOTT M. GREENBERG	5.00
				Check Total:	403.92
26780	12/06/2010	Street Fund	Operating Rentals And Leases	Greenbaum Burien	1,030.00
				Check Total:	1,030.00

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
26781	12/06/2010	General Fund	Repairs and Maintenance	Ground Vision Excavating, Inc.	2,562.30
				Check Total:	2,562.30
26782	12/06/2010	Surface Water Management Fund	Repairs And Maintenance	H.D. Fowler Company	552.20
				Check Total:	552.20
26783	12/06/2010	General Fund	Human Services-Arts & Culture	Hi-liners, Inc.	750.00
				Check Total:	750.00
26784	12/06/2010	Surface Water Management Fund	Other Travel	HEUNGKOOK LIM	83.50
				Check Total:	83.50
26785	12/06/2010	Street Fund	Repairs And Maintenance	ICON Materials	421.88
26785	12/06/2010	Street Fund	Repairs And Maintenance	ICON Materials	552.25
26785	12/06/2010	Street Fund	Repairs And Maintenance	ICON Materials	140.71
				Check Total:	1,114.84
26786	12/06/2010	General Fund	Operating Rentals And Leases	Ikon Office Solutions	512.31
26786	12/06/2010	General Fund	Operating Rentals And Leases	Ikon Office Solutions	531.37
				Check Total:	1,043.68
26787	12/06/2010	General Fund	Miscellaneous	Iron Mountain Rec. Management	521.20
				Check Total:	521.20
26788	12/06/2010	General Fund	Telephone	Integra Telecom	108.66
26788	12/06/2010	General Fund	Telephone	Integra Telecom	162.97
26788	12/06/2010	General Fund	Telephone	Integra Telecom	135.81
26788	12/06/2010	General Fund	Telephone	Integra Telecom	54.32
26788	12/06/2010	General Fund	Telephone	Integra Telecom	271.62
26788	12/06/2010	General Fund	Telephone	Integra Telecom	135.81
26788	12/06/2010	General Fund	Telephone	Integra Telecom	162.97
26788	12/06/2010	General Fund	Telephone	Integra Telecom	325.94
26788	12/06/2010	General Fund	Telephone	Integra Telecom	1,829.60
				Check Total:	3,187.70

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
26789	12/06/2010	General Fund	Repairs And Maintenance	Interstate Tire & Automotive	999.20
				Check Total:	999.20
26790	12/06/2010	Transportation CIP	right of way acquisition	Jerome Jager	12,100.00
				Check Total:	12,100.00
26791	12/06/2010	Street Fund	Street Maint. Contract-kc	King County Fleet Adm.	3,339.31
				Check Total:	3,339.31
26792	12/06/2010	Transportation CIP	right of way acquisition	King County Recorder	142.00
				Check Total:	142.00
26793	12/06/2010	General Fund	Police Contract - King Co	King County Sheriff's Office	775,612.00
				Check Total:	775,612.00
26794	12/06/2010	General Fund	Mis Plan Implementation	King County Finance Department	1,995.00
				Check Total:	1,995.00
26795	12/06/2010	Street Fund	Traffic Signal/control.mainten	KING COUNTY FINANCE	40.56
26795	12/06/2010	Street Fund	Street Maint. Contract-kc	KING COUNTY FINANCE	26,806.51
26795	12/06/2010	Surface Water Management Fund	Swm Billed By King Co Roads	KING COUNTY FINANCE	29,101.97
26795	12/06/2010	Street Fund	Traffic Signal/control.mainten	KING COUNTY FINANCE	17,720.01
26795	12/06/2010	Town Square CIP	Construction	KING COUNTY FINANCE	386.68
26795	12/06/2010	Transportation CIP	Construction-engineering	KING COUNTY FINANCE	368.89
26795	12/06/2010	Transportation CIP	Construction-engineering	KING COUNTY FINANCE	125.00
26795	12/06/2010	Street Fund	Traffic Signal/control.mainten	KING COUNTY FINANCE	1,982.57
26795	12/06/2010	Transportation CIP	construction	KING COUNTY FINANCE	3,475.16
26795	12/06/2010	Transportation CIP	Construction	KING COUNTY FINANCE	3,533.03
26795	12/06/2010	Surface Water Management Fund	Swm Billed By King Co Roads	KING COUNTY FINANCE	771.29
26795	12/06/2010	Transportation CIP	Construction-engineering	KING COUNTY FINANCE	570.13
26795	12/06/2010	Transportation CIP	construction	KING COUNTY FINANCE	151.97
26795	12/06/2010	Street Fund	Street Maint. Contract-kc	KING COUNTY FINANCE	3,547.07
26795	12/06/2010	Surface Water Management Fund	Swm Billed By King Co Roads	KING COUNTY FINANCE	8,020.39
26795	12/06/2010	Street Fund	Street Maint. Contract-kc	KING COUNTY FINANCE	54,467.75
26795	12/06/2010	Surface Water Management Fund	Swm Billed By King Co Roads	KING COUNTY FINANCE	46,476.86
26795	12/06/2010	Street Fund	Traffic Signal/control.mainten	KING COUNTY FINANCE	1,632.88
26795	12/06/2010	Street Fund	Traffic Signal/control.mainten	KING COUNTY FINANCE	16,667.83

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
26795	12/06/2010	Town Square CIP	Construction	KING COUNTY FINANCE	867.67
				Check Total:	216,714.22
26796	12/06/2010	General Fund	Plan Review Fee Fire Dist 2	King County Fire District #2	2,988.26
				Check Total:	2,988.26
26797	12/06/2010	General Fund	King Co Pet License Trust Acct	King County Pet License	740.00
				Check Total:	740.00
26798	12/06/2010	General Fund	Drug seizure proceeds KCSO	King County Sheriff, Pcnt. #4	885.00
				Check Total:	885.00
26799	12/06/2010	General Fund	Prosecution - City Atty	Kenyon Disend, PLLC	14,804.43
26799	12/06/2010	General Fund	Attorney Srvc - Litigation	Kenyon Disend, PLLC	3,402.00
				Check Total:	18,206.43
26800	12/06/2010	General Fund	Instructors Prof Srvs	Kidz Love Soccer, Inc.	2,374.40
				Check Total:	2,374.40
26801	12/06/2010	General Fund	Telephone	K. SCOTT KIMERER	74.09
				Check Total:	74.09
26802	12/06/2010	General Fund	Other Travel	Kimberly Krause	511.40
				Check Total:	511.40
26803	12/06/2010	Transportation CIP	right of way acquisition	Elaine Larsson	5,550.00
				Check Total:	5,550.00
26804	12/06/2010	General Fund	Machinery And Equipment	Landscape Forms, Inc.	55,116.62
				Check Total:	55,116.62
26805	12/06/2010	General Fund	Office and Operating Supplies	Leisuremore Corporation	135.62

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
				Check Total:	135.62
26806	12/06/2010	General Fund	Repairs And Maintenance	Les Schwab	588.03
				Check Total:	588.03
26807	12/06/2010	Parks & Gen Gov't CIP	Retainage Payable	L. W. Sundstrom, Inc.	16,879.72
				Check Total:	16,879.72
26808	12/06/2010	General Fund	Burien Marketing Strategy	Martin Machorro	750.08
				Check Total:	750.08
26809	12/06/2010	General Fund	Office And Operating Supplies	Mark's	38.05
				Check Total:	38.05
26810	12/06/2010	General Fund	Small Tools & Minor Equipments	McLendon Hardware, Inc.	317.28
26810	12/06/2010	Surface Water Management Fund	Repairs And Maintenance	McLendon Hardware, Inc.	43.69
26810	12/06/2010	Street Fund	Small Tools & Minor Equipments	McLendon Hardware, Inc.	230.42
				Check Total:	591.39
26811	12/06/2010	General Fund	Human Svc-family/youth	Matt Griffin YMCA	3,000.00
				Check Total:	3,000.00
26812	12/06/2010	General Fund	Sales Tax Auditing Costs	Microflex, Inc.	1,162.77
				Check Total:	1,162.77
26813	12/06/2010	Street Fund	Office And Operating Supplies	Miller Paint Co.	20.96
26813	12/06/2010	General Fund	Office and Operating Supplies	Miller Paint Co.	13.09
				Check Total:	34.05
26814	12/06/2010	General Fund	City Hall Custodial	National Maintenance	1,032.29
26814	12/06/2010	General Fund	Professional Services	National Maintenance	150.00

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
				Check Total:	1,182.29
26815	12/06/2010	General Fund	Repair and Maintenance	Bruce Mildenerger	246.37
				Check Total:	246.37
26816	12/06/2010	General Fund	Prof. Svcs-instructors	Fritzi Oxley	192.00
				Check Total:	192.00
26817	12/06/2010	General Fund	Repairs And Maintenance	Pacific Torque	602.59
				Check Total:	602.59
26818	12/06/2010	General Fund	Repairs And Maintenance	Park Place Professional Buildi	490.00
				Check Total:	490.00
26819	12/06/2010	Street Fund	Office And Operating Supplies	MALISSA PHOK	160.00
				Check Total:	160.00
26820	12/06/2010	Surface Water Management Fund	Repairs And Maintenance	Pacific Industrial Supply	570.19
26820	12/06/2010	Street Fund	Small Tools & Minor Equipments	Pacific Industrial Supply	718.10
				Check Total:	1,288.29
26821	12/06/2010	General Fund	City Hall Bldg Maintenance	PRG Investment Company, LLC	2,000.00
				Check Total:	2,000.00
26822	12/06/2010	General Fund	Miscellaneous Contingencies	Proforce Law Enforcement	534.31
				Check Total:	534.31
26823	12/06/2010	General Fund	Online Video Streaming	Puget Sound Access	650.00
26823	12/06/2010	General Fund	Channel 21 Video Production	Puget Sound Access	1,407.50
				Check Total:	2,057.50
26824	12/06/2010	Surface Water Management Fund	Surface Water Mgmt Inventory	Pipeline Video & Cleaning Nort	7,864.81

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount	
					Check Total:	7,864.81
26825	12/06/2010	General Fund	Telephone	QWEST	61.04	
26825	12/06/2010	General Fund	Telephone	QWEST	41.94	
26825	12/06/2010	General Fund	Telephone	QWEST	49.02	
26825	12/06/2010	General Fund	Telephone	QWEST	43.05	
26825	12/06/2010	General Fund	Telephone	QWEST	87.57	
					Check Total:	282.62
26826	12/06/2010	Street Fund	RedFlex Red Light Cameras	Redflex Traffic Systems	58,200.00	
					Check Total:	58,200.00
26827	12/06/2010	General Fund	Refund Clearing Account -Parks	Dary Vann	500.00	
					Check Total:	500.00
26828	12/06/2010	Surface Water Management Fund	Repairs And Maintenance	Renton Concrete Recyclers	437.09	
26828	12/06/2010	Surface Water Management Fund	Repairs And Maintenance	Renton Concrete Recyclers	428.98	
26828	12/06/2010	Surface Water Management Fund	Repairs And Maintenance	Renton Concrete Recyclers	165.70	
					Check Total:	1,031.77
26829	12/06/2010	Transportation CIP	right of way acquisition	Darren & Marybeth Ryan	6,800.00	
					Check Total:	6,800.00
26830	12/06/2010	Surface Water Management Fund	Storm Water Facility Maint	Superior Asphalt Maintenance	7,831.44	
					Check Total:	7,831.44
26831	12/06/2010	General Fund	Office And Operating Supplies	Seatown Locksmith	72.27	
					Check Total:	72.27
26832	12/06/2010	General Fund	Operating Rentals And Leases	SECAP Finance	969.09	
					Check Total:	969.09
26833	12/06/2010	Street Fund	Graffiti Kits-bus Lic Rev	Sherwin-Williams Co.	-16.67	
26833	12/06/2010	Street Fund	Graffiti Kits-bus Lic Rev	Sherwin-Williams Co.	68.40	

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount	
26833	12/06/2010	Street Fund	Graffiti Kits-bus Lic Rev	Sherwin-Williams Co.	28.08	
26833	12/06/2010	Street Fund	Graffiti Kits-bus Lic Rev	Sherwin-Williams Co.	72.34	
					Check Total:	152.15
26834	12/06/2010	Street Fund	Small Tools & Minor Equipments	Six Robblees' Inc.	757.49	
					Check Total:	757.49
26835	12/06/2010	General Fund	Dues/memberships	South King County Cultural Coa	30.00	
					Check Total:	30.00
26836	12/06/2010	General Fund	Telephone	SPRINT	243.62	
26836	12/06/2010	General Fund	Telephone	SPRINT	241.88	
26836	12/06/2010	General Fund	Misc. EOC	SPRINT	57.28	
26836	12/06/2010	General Fund	Drug seizure proceeds KCSO	SPRINT	409.16	
26836	12/06/2010	General Fund	Telephone	SPRINT	110.50	
26836	12/06/2010	General Fund	Telephone	SPRINT	112.63	
26836	12/06/2010	General Fund	Telephone	SPRINT	36.84	
26836	12/06/2010	General Fund	Telephone	SPRINT	48.63	
26836	12/06/2010	General Fund	Telephone	SPRINT	1,909.01	
26836	12/06/2010	General Fund	Telephone	SPRINT	295.24	
26836	12/06/2010	Street Fund	Telephone	SPRINT	295.25	
26836	12/06/2010	Surface Water Management Fund	Telephone	SPRINT	295.25	
26836	12/06/2010	General Fund	Misc. EOC	SPRINT	49.99	
					Check Total:	4,105.28
26837	12/06/2010	General Fund	Operating Rentals and Leases	Statewide Rent-A-Fence, Inc	129.87	
					Check Total:	129.87
26838	12/06/2010	General Fund	Office and Operating Supplies	Suburban Propane	2,506.14	
					Check Total:	2,506.14
26839	12/06/2010	Equipment Reserve Fund	Machinery/eqpt - Noncapitalize	Sumner Tractor	382.55	
					Check Total:	382.55
26840	12/06/2010	General Fund	Repairs and Maintenance	Tank Wise	717.84	
26840	12/06/2010	General Fund	Repairs and Maintenance	Tank Wise	290.01	

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
				Check Total:	1,007.85
26841	12/06/2010	General Fund	Teen Programs	Reginald Thomas	362.56
				Check Total:	362.56
26842	12/06/2010	General Fund	Repairs And Maintenance	Tri-Tec	82.13
				Check Total:	82.13
26843	12/06/2010	Street Fund	Office And Operating Supplies	The Rusty Rack Guys	1,168.37
26843	12/06/2010	Surface Water Management Fund	Office And Operating Supplies	The Rusty Rack Guys	1,168.36
				Check Total:	2,336.73
26844	12/06/2010	Surface Water Management Fund	Repairs And Maintenance	United Rentals Northwest, Inc.	146.19
26844	12/06/2010	Surface Water Management Fund	Repairs And Maintenance	United Rentals Northwest, Inc.	41.96
				Check Total:	188.15
26845	12/06/2010	General Fund	Postage	U.S. POSTAL SERVICE	3,900.00
26845	12/06/2010	General Fund	Quarterly Newsletter	U.S. POSTAL SERVICE	3,500.00
				Check Total:	7,400.00
26846	12/06/2010	General Fund	Operating Rentals & Leases	Valley View Sewer District	1,000.00
				Check Total:	1,000.00
26847	12/06/2010	Transportation CIP	right of way acquisition	Joanne Vandeway	17,550.00
				Check Total:	17,550.00
26848	12/06/2010	General Fund	Human Svc-family/youth	White Center Food Bank	1,250.00
				Check Total:	1,250.00
26849	12/06/2010	Street Fund	Landscape Maint - Utilities	Water District No. 20	42.35
				Check Total:	42.35

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
26850	12/06/2010	Street Fund	Landscape Maint - Utilities	Water District No. 49	794.35
26850	12/06/2010	Street Fund	Landscape Maint - Utilities	Water District No. 49	70.22
26850	12/06/2010	Street Fund	Landscape Maint - Utilities	Water District No. 49	48.75
26850	12/06/2010	Street Fund	Landscape Maint - Utilities	Water District No. 49	48.75
26850	12/06/2010	Street Fund	Landscape Maint - Utilities	Water District No. 49	60.30
26850	12/06/2010	General Fund	Utilities	Water District No. 49	293.25
Check Total:					1,315.62
26851	12/06/2010	Street Fund	Garbage Franchise Tech Assist	Wilder Environmental Consultin	786.50
Check Total:					786.50
26852	12/06/2010	General Fund	Subscriptions/publications	West Payment Center	381.34
Check Total:					381.34
26853	12/06/2010	General Fund	Office and Operating Supplies	Wetlands & Woodlands, Inc.	367.38
Check Total:					367.38
26854	12/06/2010	Street Fund	Operating Rentals And Leases	Wilken Properties, LLC	2,783.17
26854	12/06/2010	Surface Water Management Fund	Operating Rentals And Leases	Wilken Properties, LLC	2,783.16
Check Total:					5,566.33
26855	12/06/2010	General Fund	Jury & Witness Fees	Gloria D. Rodriguez De Rios	16.00
Check Total:					16.00
26856	12/06/2010	General Fund	Jury & Witness Fees	Sixto T. Rios Rincon	10.00
Check Total:					10.00
26857	12/06/2010	General Fund	Jury & Witness Fees	Daniel L. Raymond	10.00
Check Total:					10.00
26858	12/06/2010	General Fund	Office And Operating Supplies	Walter E. Nelson Co.	471.49
Check Total:					471.49
26859	12/06/2010	General Fund	Registration - Training/workshp	W.R.P.A.	198.00

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
				Check Total:	198.00
26860	12/06/2010	Street Fund	Small Tools & Minor Equipments	Western Safety Products, Inc.	258.35
				Check Total:	258.35
26861	12/06/2010	Surface Water Management Fund	Storm Water Facility Maint	Yardsmen Company	1,609.65
				Check Total:	1,609.65
26862	12/06/2010	General Fund	Telephone	Yes of Course, Inc.	47.42
				Check Total:	47.42
				Report Total:	1,337,428.07



SPECIAL MEETING

Mayor McGilton called the Special Meeting of the Burien City Council to order at 7:00 p.m. for the purpose of conducting interviews for Council Position No. 6.

Present: Mayor Joan McGilton, Deputy Mayor Rose Clark, Councilmembers Brian Bennett, Jack Block, Jr., Kathy Keene, Lucy Krakowiak, and Gordon Shaw.

Administrative staff present: Mike Martin, City Manager.

No action was taken.

ADJOURNMENT

Direction/Action

Councilmembers agreed to adjourn the meeting at 8:15 p.m.

Joan McGilton, Mayor

Monica Lusk, City Clerk



CITY COUNCIL SPECIAL MEETING MINUTES

November 29, 2010

Miller Creek Conference Room, 3rd Floor

For the purpose of discussing the qualifications of Council Candidates

6:00 p.m.

and

Council Chambers, 1st Floor

7:00 p.m.

400 SW 152nd Street
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*
- *Check out a DVD of the Council Meeting from the Burien Library*

SPECIAL MEETING

Mayor McGilton called the Special Meeting of the Burien City Council to order at 6:00 p.m. for the purpose of discussing the qualifications of candidates for Council Position No. 6.

Present: Mayor Joan McGilton, Deputy Mayor Rose Clark, Councilmembers Brian Bennett, Jack Block, Jr., Kathy Keene, Lucy Krakowiak and Gordon Shaw.

Administrative staff present: Mike Martin, City Manager.

No action was taken.

Mayor McGilton called a recess at 6:30 p.m.

Mayor McGilton reconvened the Special Meeting of the Burien City Council at 7:00 p.m.

PLEDGE OF ALLEGIANCE

Mayor McGilton led the Pledge of Allegiance.

ROLL CALL

Present: Mayor Joan McGilton, Deputy Mayor Rose Clark, Councilmembers Brian Bennett, Jack Block, Jr., Kathy Keene, Lucy Krakowiak, and Gordon Shaw.

Administrative staff present: Mike Martin, City Manager; Craig Knutson, City Attorney; Gary Coleman, Interim Finance Director; Larry Blanchard, Public Works Director; and Monica Lusk, City Clerk.

AGENDA CONFIRMATION

Direction/Action

Motion was made by Deputy Mayor Clark, seconded by Councilmember Krakowiak, and passed unanimously to affirm the November 29, 2010, Agenda.

PUBLIC COMMENT

John Upthegrove, 1808 SW 156th Street, Burien

Per Mr. Upthegrove's request, the City Clerk read his comments into the record regarding proposed Comprehensive Plan Amendment 2010-2, in which the applicants applied to correct an inconsistency between the Burien Comprehensive Plan language and the City's Land-Use map. -

Bob Edgar, 12674 Shorewood Drive SW, Burien

Mr. Edgar spoke to the proposed Comprehensive Plan Amendment 2010-2, which requests that the Land-Use Map be corrected to eliminate an inconsistency that exists between the text of the Comprehensive Plan and the Land-Use map. .

Maggie Larrick, 15007 24th Avenue SW, Burien

Ms. Larrick, Burien Little Theatre, invited all to attend the current performance "Martha, Josie and the Chinese Elvis" and spoke to other performances being produced at the theatre.

CORRESPONDENCE FOR THE RECORD

- a. Email Dated November 4, 2010, from Joe Fitzgibbon Transmitting Resignation.
- b. Email Dated November 9, 2010, from Walter Cunningham Regarding Dangerous Dog.
- c. Email Dated November 10, 2010, from Walter Cunningham Regarding Dangerous Dog.

CONSENT AGENDA

- a. Approval of Vouchers: Numbers 26590 - 26739 in the Amounts of \$334,294.25 with Voided Check No. 26721.
- b. Approval of Minutes: Council Meeting, November 8, 2010.

Direction/Action

Motion was made by Deputy Mayor Clark, seconded by Councilmember Krakowiak, and passed unanimously to approve the November 29, 2010, Consent Agenda.

BUSINESS AGENDA

City Business

Direction/Action

Deputy Mayor Clark suggested involving the Citizen Emergency Response Team (CERT) during snow events and emergencies.

Councilmember Block suggested having available a list of gas stations that have generators for emergencies.

Review of Council Proposed Agenda Schedule

Direction/Action

Councilmembers reached consensus to not cancel the December 27, 2010, meeting at this time.

Motion to Approve Ordinance No. 547, Adopting the 2011-2012 Biennial Budget

Direction/Action

Motion was made by Deputy Mayor Clark, seconded by Councilmember Krakowiak, to approve Ordinance No. 547, adopting the 2011-2012 Biennial Budget.

Motion passed 6-1. Opposed, Councilmember Block.

Motion to Adopt Ordinance No. 548, Setting the 2011 Property Tax Levy Rate

Direction/Action

Motion was made by Deputy Mayor Clark, seconded by Councilmember Krakowiak, and passed unanimously to Approve Ordinance No. 548, setting the 2011 Property Tax Levy Rate as amended.

Discussion of Proposed Ordinance No. 549, Amending the 2009-2010 Biennial Budget

Direction/Action

Councilmembers reached consensus to place Ordinance No. 549 on the December 6, 2010, Consent Agenda for approval.

Discussion and Possible Action on Motion to Endorse the Community Center for Education Results "Road Map" Project

Direction/Action

Motion was made by Deputy Mayor Clark, seconded by Councilmember Krakowiak, to endorse the Community Center for Education Results "Road Map" project.

Councilmember Bennett left the dais at 7:33 p.m. at returned at 7:35 p.m.

Councilmember Krakowiak withdrew her second and Deputy Mayor Clark withdrew her motion.

Direction/Action

Councilmembers requested placing the Motion to Endorse the Community Center for Education Results "Road Map" Project on the December 6, 2010, Consent Agenda for approval.

COUNCIL REPORTS

Mayor McGilton announced the Council's intent to appoint Candidate Gerald F. Robison to Council Position No. 6 on January 3, 2011.

Councilmember Bennett left the dais at 7:39 p.m.

ADJOURNMENT

Direction/Action

MOTION was made by Deputy Mayor Clark, seconded by Councilmember Krakowiak and passed unanimously to adjourn the meeting at 7:40 p.m.

Joan McGilton, Mayor

Monica Lusk, City Clerk

CITY OF BURIEN, WASHINGTON

ORDINANCE NO. 549

AN ORDINANCE OF THE CITY OF BURIEN, WASHINGTON, AMENDING THE 2009-2010 BIENNIAL BUDGET TO ADJUST REVENUES AND APPROPRIATE EXPENDITURES FOR THE STREET OVERLAY PROJECT

WHEREAS, the City of Burien adopted the 2009-2010 Biennial Budget by Ordinance No. 500 and amended the Biennial Budget by Ordinances No. 513, Ordinance No. 526, and Ordinance No. 536; and

WHEREAS, on July 19, 2010, the City of Burien adopted Ordinance No. 544 providing for the issuance of long term general obligation bonds for the street overlay project; and

WHEREAS, the City of Burien will receive additional revenue and incur additional debt service expense associated with these bonds; and

WHEREAS, it is necessary to amend the 2009-2010 Biennial Budget to adjust revenues and appropriate expenditures for the street overlay project;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BURIEN, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. The City of Burien 2009-2010 Biennial Budget, for the period January 1, 2009 through December 31, 2010, is hereby amended as set forth in the attached Exhibits A and B.

Section 2. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 3. Effective Date. This ordinance, or a summary thereof, shall be published in the official newspaper of the City and shall take effect and be in full force five (5) days after the date of publication.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE ____ DAY OF _____, 2010, AND SIGNED IN AUTHENTICATION OF ITS PASSAGE THIS ____ DAY OF _____, 2010.

CITY OF BURIEN

Joan McGilton, Mayor

ATTEST/AUTHENTICATED:

Monica Lusk, City Clerk

Approved as to form:

Craig D. Knutson, City Attorney

Filed with the City Clerk:
Passed by the City Council:
Ordinance No. 549
Date of Publication:

Exhibit A

The following sets forth the revised revenue and expenditure totals for all funds and brings current the totals for each fund in accordance with the Biennial Budget adopted in Ordinance No. 500, the prior budget amendments adopted in Ordinance No.513, Ordinance No. 526, and Ordinance No. 536, and the current budget amendment adopted in this Ordinance 549:

	Beginning		Transfers	
Fund Name	Fund Balance	Revenues	In	Total Resources
General	\$ 3,768,613	\$ 34,178,448	\$ 299,000	\$ 38,246,061
Street	\$ 306,291	\$ 5,296,000	\$ -	\$ 5,602,291
Surface Water Management	\$ 305,463	\$ 4,059,250	\$ -	\$ 4,364,713
Public Works Reserve	\$ 6,424	\$ 987,676	\$ -	\$ 994,100
Equipment Reserve	\$ 302,302	\$ 7,500	\$ 390,000	\$ 699,802
Art in Public Places	\$ 46,973	\$ 1,040	\$ 15,000	\$ 63,013
Capital Projects Reserve	\$ 489,412	\$ 2,333,724	\$ -	\$ 2,823,136
Debt Service	\$ (61,084)	\$ 232,000	\$ 2,552,450	\$ 2,723,366
Town Square Capital Projects	\$ 6,998,477	\$ 2,145,894	\$ 335,105	\$ 9,479,476
Parks and General Fund Capital Projects	\$ 2,596,454	\$ 7,013,921	\$ -	\$ 9,610,375
Transportation Capital Projects	\$ 35,713	\$ 18,267,954	\$ 2,715,000	\$ 21,018,667
Surface Water Management Capital Projects	\$ 947,160	\$ -	\$ 1,318,761	\$ 2,265,921
Total	\$ 15,742,198	\$ 74,523,407	\$ 7,625,316	\$ 97,890,921

		Transfers	Ending Fund	
Fund Name	Expenditures	Out	Balance	Total Uses
General	\$ 35,741,770	\$ 390,000	\$ 2,114,291	\$ 38,246,061
Street	\$ 3,664,174	\$ 1,055,000	\$ 883,117	\$ 5,602,291
Surface Water Management	\$ 2,835,843	\$ 1,357,261	\$ 171,609	\$ 4,364,713
Public Works Reserve	\$ -	\$ 935,105	\$ 58,995	\$ 994,100
Equipment Reserve	\$ 462,800	\$ -	\$ 237,002	\$ 699,802
Art in Public Places	\$ 10,000	\$ -	\$ 53,013	\$ 63,013
Capital Projects Reserve	\$ -	\$ 1,855,950	\$ 967,186	\$ 2,823,136
Debt Service	\$ 2,722,922	\$ -	\$ 444	\$ 2,723,366
Town Square Capital Projects	\$ 9,132,538		\$ 346,938	\$ 9,479,476
Parks and General Fund Capital Projects	\$ 9,297,591	\$ 15,000	\$ 297,784	\$ 9,610,375
Transportation Capital Projects	\$ 12,878,241		\$ 8,140,426	\$ 21,018,667
Surface Water Management Capital Projects	\$ 866,439	\$ 1,100,000	\$ 299,482	\$ 2,265,921
Total	\$ 77,612,318	\$ 6,708,316	\$ 13,570,287	\$ 97,890,921

Exhibit B

The following sets forth the changes made in each fund for the street overlay project (not the totals per fund).

Changes to the 2009-2010 Budget -- All Funds				
	Changes to		Changes to	Changes to
	Beginning	Changes to	Transfers	Total
Fund Name	Fund Balance	Revenues	In	Resources
General	-	-	-	-
Street	-	30,000	-	30,000
Surface Water Management	-	-	-	-
Public Works Reserve	-	-	-	-
Equipment Reserve	-	-	-	-
Art in Public Places	-	-	-	-
Capital Projects Reserve	-	-	-	-
Debt Service	-	-	181,500	181,500
Capital Projects	Changes to	Changes to	Changes to	Changes to Total
	Beginning Fund	Revenues	Transfers In	Resources
	Balance			
Town Square Capital Projects	-	-	-	-
Parks and General Fund Capital Projects	-	-	-	-
Transportation Capital Projects	-	8,615,000	-	8,615,000
Surface Water Management Capital Projects	-	-	-	-
Total	-	8,645,000	181,500	8,826,500
		Changes to	Changes to	
	Changes to	Transfers	Ending Fund	Changes to
Fund Name	Expenditures	Out	Balance	Total Uses
General	-	-	-	-
Street	-	181,500	(151,500)	30,000
Surface Water Management	-	-	-	-
Public Works Reserve	-	-	-	-
Equipment Reserve	-	-	-	-
Art In Public Places	-	-	-	-
Capital Projects Reserve	-	-	-	-
Debt Service	181,500	-	-	181,500
Capital Projects	Changes to	Changes to	Changes to	Changes to
	Expenditures	Transfers	Ending Fund	Total Uses
		Out	Balance	
Town Square Capital Projects	-	-	-	-
Parks and General Fund Capital Projects	-	-	-	-
Transportation Capital Projects	3,015,000	-	5,600,000	8,615,000
Surface Water Management Capital Projects	-	-	-	-
Total	3,196,500	181,500	5,448,500	8,826,500

The Road Map for Education Results: An Overview

The "Road Map Project" is a new community partnership aimed at significantly increasing student achievement -- cradle to college and career in South Seattle and South King County.

Our goal is to significantly increase the number of students in South Seattle and South King County who graduate from college or earn a career credential by 2020. We are committed to nothing less than closing the unacceptable achievement gaps for low income students and children of color and increasing achievement for all students.

The initial work will involve building a plan of action – with goals and performance metrics as well as targets and strategies for improvement. The focus will then turn to supporting implementation carried out by people and organizations both inside and outside education – at the regional and neighborhood levels. Results will be measured using a common set of metrics. Progress will hinge on strong community outreach and on our ability to foster innovation and effective collaboration and partnering across the education continuum.

The Road Map is not intended to be a new "program" nor an attempt to compete with any of our region's noteworthy education initiatives. Hopefully the Road Map Project will add value by building strong public awareness of the urgent need to improve student achievement and by creating a strong strategic framework for improved collective impact.



The Need is Clear: The Time for Action is Now

The greater Seattle region currently boasts one of the best educated workforces in the nation¹. Yet for more than 150,000 low-income students growing up in King County education results are shockingly poor. *We currently import more talent than we grow locally and the effects are devastating for our children, our communities and our economy. The need for action is urgent and growing.*

- A staggering 50% of Washington's children are not ready to succeed when they enter kindergarten²
- Only 22% of students in the lowest income areas of the Road Map region complete a two or four-year college degree³
- By 2018, 67% of jobs in Washington will require a college degree or credential⁴

¹ Source: US Census Bureau 2008 Survey

² Source: Washington Learns

³ Source: The BERC Group / College Tracker

⁴ Source: Georgetown University Center on Education and the Workforce

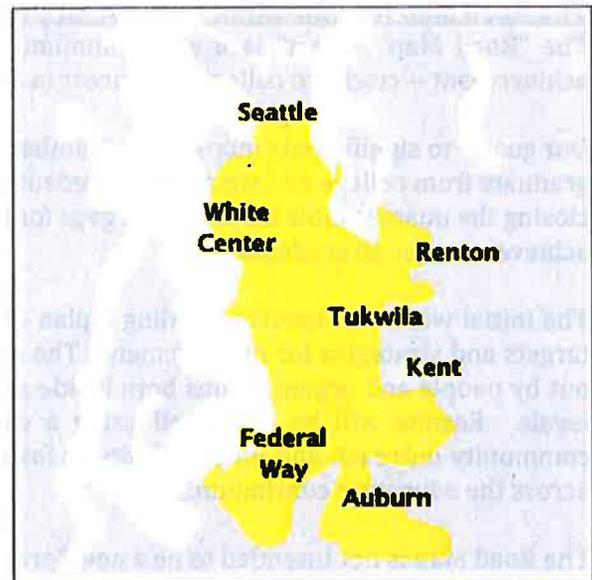
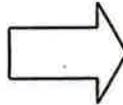
The Road Map Focus Area: South Seattle and South King County

The Road Map Project is focusing on nine communities in South Seattle and South King County. **Auburn, Burien, Des Moines, Federal Way, Kent, Renton, SeaTac, South Seattle, Tukwila and unincorporated King County**

70% of King County's low-income students live in this region.

58% of King County's students of color live in this region.

69% of King County's English Language Learner (ELL) students live in this region



A Strong and Growing Network Supporting Community Efforts

Over 100 organizations are participating in the Education Results Network to inform the scope and direction of the project, and more are joining all the time. A new nonprofit organization, the Community Center for Education Results (CCER), staffs the Road Map Project. The Seattle Foundation is acting as CCER's fiscal sponsor.

On The Road: Work to Date

- To focus efforts and improve collective results a plan of action is needed, complete with goals and ways to measure progress. Based on significant community input and research on what works, the Road Map for Education Results will be unveiled in December.

Project Sponsors

- The Seattle Foundation
- The Bill and Melinda Gates Foundation
- The League of Education Voters
- Seattle Community Colleges District
- City of Seattle
- Puget Sound Educational Service District
- The Technology Access Foundation
- OneAmerica
- University of Washington



Get Involved with The Road Map Project

Join the Education Results Network -- a growing group of education leaders, service providers, funders, policymakers and community members -- and help support community efforts to increase student achievement from preschool through college graduation. To learn more and get involved, please visit www.ccedresults.org/get-involved

The Road Map Project Endorsement Form



We support the goals of the Road Map project to significantly increase the number of students in South Seattle and South King County who graduate from college or earn a career credential by 2020 and to close our region's unacceptable achievement gaps for low income students and children of color. This endorsement does not include or imply a promise of any financial obligations or support.

We must ensure that all our students are:

- Ready for kindergarten
- Receive the support they need to succeed in school and graduate from high school
- Graduate from college or earn a career credential

Name: _____

Organization: _____

E-mail: _____

Zip code: _____

Box to check: Yes I want to be kept informed of the Road Map Project.

Community Center for Education Results

1200 Fifth Avenue, Suite 1300

Seattle, WA 98101-3151

www.ccedresults.org

Dedicated to dramatically improving education results from preschool through college and career!

**CITY OF BURIEN
AGENDA BILL**

Agenda Subject: Presentation of Proposed Public Art Plan		Meeting Date: December 6, 2010
Department: Parks and Recreation	Attachments: 1. Proposed Plan 2. Resolution 152	Fund Source: Art in Public Places Activity Cost: \$33,000 for 2011-2012 Amount Budgeted: \$14,000 for 2011-12 Unencumbered Budget Authority: 0
Contact: Debbie Zemke, Recreation Manager		
Telephone: 206-988-3703		
Adopted Initiative: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Initiative Description: Develop and Enhance Public Art Program	
PURPOSE/REQUIRED ACTION:		
<p>The purpose of this agenda item is to present a plan that will create public artworks to be installed in various city locations. The plan identifies the projects, their proposed locations, and projected cost. The “Art in Public Places” fund will finance the costs of these projects. Ordinance 238 created this program, which is funded by setting aside 1% of city-funded capital improvement project budgets.</p> <p>The proposed artworks are planned for installation beginning in 2011 and continuing through 2014 and/or longer, depending on whether future fund accrual occurs.</p> <p>When developing this plan, the Arts Commission’s goal was to identify a number of different projects that could provide the most visual impact for the public while also creating a vibrant artistic dialogue with local artists, arts patrons, and local businesses. The artworks’ design will intend to contribute to the City’s identity and serve as a source of community pride, while also reflecting the City’s history and character.</p>		
BACKGROUND (Include prior Council action & discussion):		
<p>Since 1998 when the “Art in Public Places” program was first established, the fund has been accruing 1% of qualifying projects’ capital improvement program (CIP) budgets. “Qualifying” projects are those exclusively funded by the City’s own budget for construction or remodeling of public buildings, transit centers, and parks. To date, parks capital improvement projects and the construction of the new City Hall have provided this funding. Grant funds obtained for CIP projects are exempt from the 1% calculation. The Arts Commission had discussed project possibilities for the past several years, but was waiting for the fund to accrue. Twelve (12) years of fund accrual has resulted in approximately \$49,000. The Commission’s Public Art committee has been meeting over the last several months to finalize recommendations for the plan.</p>		
OPTIONS (Including fiscal impacts):		
<ol style="list-style-type: none"> 1. Approve Arts Commission’s Public Art Plan recommendation. 2. Do not approve Arts Commission’s recommendation. 3. Provide additional direction. 		
Administrative Recommendation: Place the Public Art Plan on the December 13 Consent Agenda for approval.		
Committee Recommendation:		
Advisory Board Recommendation: Approved by Arts Commission on November 30.		
Suggested Motion: None required.		
Submitted by:		
Administration: Michael Lafreniere	City Manager _____	
Today’s Date: December 1, 2010	File Code: R \CC\Agenda Bill 2010\120610pks-Public Art Plan	

City of Burien
2011-14
PUBLIC ART PLAN

Project: DOWNTOWN BANNER PROJECT

Description: Eighteen (18) banners with designs created by local Burien school students will be fabricated to represent a theme of “Cultural Connections”. Each banner will be 2 by 5 feet in size and installed on light poles. Discover Burien is collaborating with the Arts Commission’s Arts Education committee on this project.

Location: 153rd Street

Installation By: February, 2011

Estimated Cost: \$6,000

Project: SEAHURST PARK SCULPTURE

Description: The Seahurst Park Phase II Shoreline Restoration Project will require removal of the large wooden/circular sculpture created by artist Thomas Lindsey that is currently located on the beach. This sculpture is planned to be refurbished and relocated.

Location: Move from beach and relocate to main entrance area of park.

Installation By: Late Summer, 2011

Cost: \$10,000

Project: DOWNTOWN MURAL

Description: The large “Dollar Store” wall facing 4th Ave SW would be the preferred location for this mural, which would be created on moveable panels. Approval from building owner would be required. Project would solicit community participation under the leadership/coordination of an artist(s).

Location: 4th Ave SW near 152nd St intersection

Installation By: 2012

Cost: \$12,000

Project: **AMBAUM BOULEVARD ARTWORK**

Description: Both permanent metal sculptures and temporary painted designs would be created for a minimum of four (4) bus shelters located along the Ambaum Blvd. corridor. Based on future funding, a banner project could also be added. Arts Commission would partner with Metro in addition to community participants and artists.

Location: Ambaum Boulevard

Installation By: 2012-2014

Cost: \$16,000

Project: **METAL SCULPTURES**

Description: Both permanent and temporary metal sculptures would be commissioned and created by the Puget Sound Skill Center's (PSSC) student welding program. Four (4) sculptures would be commissioned and installed on an annual basis.

Installation By: Spring, 2011 through Spring, 2014

Location: Different locations within the city, with exact locations to be determined.

Cost: \$500 per sculpture

CITY OF BURIEN, WASHINGTON

RESOLUTION NO. 152

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURIEN, WASHINGTON ESTABLISHING POLICIES AND PROCEDURES FOR PUBLIC ART EXPENDITURES

WHEREAS, it is the City's intent as stated in Ordinance No. 238 to provide its residents with expanded experience with visual arts, while encouraging artists capable of creating art for public places; and

WHEREAS, it is the policy of the City to include works of art in its public works and public spaces, through development and implementation of the "1% for Art" program; and

WHEREAS, the City Council wishes to establish guidelines and procedures for the development of the "Public Art Fund" program and for the implementation of 1% for Art projects.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BURIEN, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Policy. The Burien Arts Commission has identified the following policies and objectives as important to the development and implementation of the "1% for Art" program:

- 1.1 The mission of the "Public Art Program" is to integrate the highest quality artworks and the ideas of artists into a variety of public places in Burien. The program will ensure that the work, creative skills, and unique perspective of artists are included in the planning, design, and construction of City projects and public spaces.
- 1.2 Artwork projects shall be developed with the objective of contributing to a sense of the City's identity. Artwork should reflect and respect community history, values, character, and provide a source of community pride.
- 1.3 Development of the Public Art Fund Program shall coordinate with the City's annual Capital Improvement Program process.

- 1.4 Wherever possible, sites for public art projects will be identified at the earliest CIP planning stages, so that these art projects can be effectively and economically integrated through planning concurrent with site development. The artist will serve as member of the project design team throughout the planning, design, and construction phases.
- 1.5 The City's Public Art Program will seek artworks of the highest quality that:
- Are integrated and coordinated with City and private sector projects
 - Reflect the scope, scale, and character of the site
 - Represent diversity in art form, artists, and audiences served
 - Are geographically dispersed
 - Demonstrate a favorable cost/benefit to the community
 - Are safe and easily maintained
 - Are technically feasible, structurally sound, and not prone to damage by weather, vandalism, etc.
 - Take advantage of creative purchase options and exhibition agreements

Section 2. Definitions.

- 2.1 Public Art Program means any expression by an artist of visual works available to the public in an open City-owned facility designated as a public area, or non-city-owned property if the art is installed or financed, either in whole or in part, by the City's "1% for Art" program. (City of Burien, Ordinance 238).
- 2.2 Designer is any consultant or City employee(s) providing design services for the execution of a Capital Improvement Project, renovation, or other development.
- 2.3 Consultant is any firm, individual, joint venture, or team of firms or individuals (including any sub-consultants engaged by the consultant) with which the City contracts for consulting services related to Capital Improvement Projects.
- 2.4 Professional Artist is any person who by virtue of professional training, exhibition history, and/or critical review is recognized as skilled in creating works of art.
- 2.5 Artwork can be a newly commissioned work or the purchase or loan of an existing work. Artwork may be integrated with, attached to, or placed upon a public site, or may also be part of a portable collection or exhibit.
- 2.6 Prospectus is a "Call for Artist" brochure that outlines the scope of work, artist eligibility requirements, funding availability, and project timelines.

- 2.7 Jury is a panel of art professionals, technical advisors, and community advisors who convene to select an artist or team of artists.
- 2.8 Qualifying Capital Improvement Project means projects funding wholly or in part by the City of Burien for construction or remodeling of government-owned public buildings, transit centers, and parks. (City of Burien Ordinance 238)
- 2.9 Temporary Artwork is artwork that is part of a portable collection, has a non-permanent lifespan, and/or is displayed for a pre-determined period of time.
- 2.10 Deaccessioning is the removal of artwork from permanent display, whether it is disposed or not.
- 2.11. Disposal is any action that results in the cessation of ownership and possession of an artwork.

Section 3. Procedures

3.1 Commission Responsibilities

- 3.1.1 The Commission and City staff representative shall annually prepare, adopt, and amend as necessary, the “Public Art Fund” recommendations, which shall allocate available “1% for Art” funds for projects.

In developing these recommendations, the Arts Commission will request suggestions and ideas from the City Council, City Departments, and the community. Final recommendations shall then be forwarded to the City Council. Following final adoption, the Arts Commission city staff liaison will prepare and administer all artwork contracts.

- 3.1.2 The Commission shall consult with the City Department responsible for a particular construction project site (s) that is recommended for inclusion in the annual “Public Art Plan” prior to final recommendations.
- 3.1.3. The Commission shall provide information relative to any proposed artwork requiring extraordinary operation or maintenance to the City Department Director responsible for such operation or maintenance prior to recommendation for the project.
- 3.1.4. The Commission shall provide information relative to any proposed artwork requiring extraordinary operation or maintenance to the City Department Director responsible for such operation or maintenance prior to recommendation for the project.

3.1.5. The Commission and City staff shall develop and maintain an inventory of public spaces which are potential sites for artwork projects, and shall consult with City Departments in the identification of suitable sites.

3.1.6. The Commission and City shall make an annual report to the City Council, City Manager, and City Departments, showing the location, types of artwork, the artist(s) commissioned, the dollars expended for each artwork project, and the status of each project. This report shall be completed no later than January 31 for all projects completed in the preceding year.

3.2 Department Responsibilities

3.2.1 Within each Department, a City staff person will be designated to provide information and coordinate with the Commission to identify existing or planned sites under that Department's management which are suitable for location of potential public art projects.

3.2.2 Departments shall inform the Commission of proposed or planned projects involving construction, renovation, or further development of a site or facility at the earliest possible planning stage. This will allow appropriate timelines for inclusion in the annual "Public Art Plan" when possible. This will also ensure adequate review of the project's potential for incorporation of artwork, and for commissioning an artist for the project design team.

Section 4. Artwork. The commission and staff shall work with designated City officials and the project designer and/or manager for the site to determine the following parameters:

- Recommended location: Artwork may be integrated or placed into the construction project in connection with which the funds were appropriate, or may be integrated or placed on or about other public facilities.
- Existing sites: The Commission, staff, and artist shall consult with the designated City official on location (s) for artwork, and these location(s) shall be determined by an agreement between the Department managing the site and the Commission.
- Sites under development: The Department managing the site development shall keep the Commission apprised of progress in selection of a Project Designer, and shall include the artwork project in the design program and budget for the project. The Designer and artist shall then work collaboratively to coordinate the integration and/or location of the artwork within the construction project.

- Format: Scope of work (including theme) and/or format for artist participation in project design will be determined by Commission and Project Designer.
- Appropriate level of funding: Level of funding will be determined by the medium, construction budget, location, and scope of work.
- Geographic Eligibility: Artwork commissions may be restricted to local or regional artists, or open to a larger geographic pool. The program may seek participation from (in descending priority) local artists, regional artists, and artists with national and international reputations.
- Medium: When applicable, recommended media (painting, sculpture, artist-made building parts, etc.) shall be addressed in the prospectus.
- Maintenance: Potential for vandalism, accidental damage, and environmental deterioration at the site shall be assessed.
- Ownership: Art purchased through the “1%” program will be the property of the City of Burien.
- Loaned Artwork: The City’s “Loaned Art Agreement” document will be used for loaned artwork situations. This contract will specify exhibit time periods; artwork transportation, installation, and removal; and insurance.

Section 5. Criteria and Selection Process

- 5.1. Prior to prospectus development, the Arts Commission and City staff liaison will define the project by the following:
 - Description of project and site
 - Statement of public benefit
 - Determination of artist selection criteria
 - Funding and budget breakdown for the project
 - Project Timeline
- 5.2. Prospectus will be disseminated as broadly as possible, through artist professional newsletters, media, and related methods. “1%” funding will cover costs relating to the selection process. Final artist selection will be completed with the participation of a jury.

5.3 Jury Selection

Jury selection will be approved by the Arts Commission.

- Panel size may range from 5 to 7.
- All juries shall include at least 1 artist.
- Panel may have 1 community representative.
- Panel will include minimum of 1 Arts Commissioner, and may also include the project manager/designer, and/or other City employee.
- Panel shall include the project consultant/architect as a non-voting advisor.
- Panel review shall be open to observers who wish to attend; however, panelists may elect to cast votes in closed session
- Panel will have the option of making no selection. In this event, a new selection process may be initiated or the project may be abandoned.

5.4 Final Approval of Artist

- The Department managing the project shall review the Jury's recommendation(s) to review artists qualifications or previous work, prior to recommendation going to the Arts Commission. In cases where legitimate concerns are articulated, the Jury shall be reconvened to select an alternative artist.
- Jury recommendation will be forwarded to Arts Commission for review.
- Arts Commission's recommendation will be forwarded to City Council for final approval.

5.5 Withdrawal of Artist From Project

In the instance that an artist withdraws from a commissioned artwork project, the Jury shall re-convene. Selection may be made from the existing pool of artist proposals, or a new selection process may begin, depending on project time constraints and other considerations.

5.6 Revision of Artist Proposal

If the artist wishes to present a revision to their original proposal during participation in the City's CIP design process, that revision shall be brought before the Arts Commission for approval. If a revision requires additional expenditure of funds, recommendations shall be forwarded to the City Council for review.

5.7 Artist Selection:

The Jury may select an artist by 1 of 3 methods:

- 5.7.1 Open Entry: Project is widely publicized and proposals are accepted from any professional artist.
- 5.7.2 Limited Entry or Invitational: Jury invites a small number of artists to submit proposals, based on artists' proven capabilities to carry out the scope of work.
- 5.7.3 Direct Selection of Artist by Jury: One artist is invited to submit a proposal for project, based on artist's qualifications and capabilities. In the event that the proposal is not accepted, provision shall be made for payment for proposal preparation.

Section 6. Maintenance, Inventory, and Storage

- 6.1 The Arts Commission will develop annual public artwork maintenance recommendations and submit to the City Council. Funds for repair and maintenance will come from the "1%" fund.
- 6.2 Once funds are approved, routine maintenance of permanently installed artworks shall be the responsibility of the City Department or jurisdiction having management responsibility over the site. City Department and/or jurisdiction will also have responsibility for keeping Commission informed about changes in condition of artwork.
- 6.3 The City will be responsible for maintaining an inventory of the public art, and establishing maintenance processes and schedules.
- 6.4 In the instance that artwork needs to be removed and stored, structural information on the piece will be reviewed, so that potential damages can be prevented. Value of the piece will need to be evaluated relative to costs of moving, storing, and re-installing. Depending on artwork size and type, professional artwork removal and storage technicians may be used.

Section 7. Public Art Not Funded Through the "1%" Program

- 7.1. Non-Qualifying Public Art Projects
Although various City CIP projects such as streets, sidewalks, surface water, solid waste facilities, etc. are excluded from the "Public Art Program" 1% calculation base, this ineligibility shall not preclude a City Department, in cooperation with the Arts Commission, from proposing inclusion of public art for these projects. The Arts Commission can also

provide artist recommendations and/or rosters for City Departments managing these projects, if requested.

7.2 Gifts and Donations

The Arts Commission will provide initial review of all public art donation proposals. Recommendation for accepting or rejecting proposed donations will be forwarded to City Council for approval.

7.2.1 Donations may be made for either existing or newly-commissioned artwork.

7.2.2 Review Criteria will focus on five main areas:

Artistic Excellence: Recommended artwork for acceptance shall be of exceptional quality and enduring value as judged by a jury, as identified in section 8.0 (Criteria and Selection).

Appropriateness To Site: Relationship of the artwork to site shall be considered in respect to the social, cultural, historical, and physical context of the site, both existing and planned.

Selection Process: Sponsors of commissioned works will work with the Arts Commission in the selection of an artist(s) and artwork, also identified in section 8.0.

Adherence to Existing Master Plans: All artworks shall adhere to the site master plans developed by the City.

7.2.3 Following these procedures, recommendations will be forwarded to the City Council for final review.

7.2.4 Generally, donated artwork shall not be accepted unless sufficient funds are provided by the donor to pay for installation, framing, base (if applicable), other display needs, and identification plaque.

7.3 Additional Funds

In the instance that the Arts Commission has access to additional grant dollars to fund public art, both the Review Criteria (section 10.2.2) and Selection Process (8.0) will be followed.

Section 8. 1% Co-Funded Projects. In the instance that a City capital improvement project is also partially funded by another governmental jurisdiction that has its own “1%” public art program, the Arts Commission may initiate collaborative discussions, so that 1% public art funding can be combined for maximum leverage of total budget dollars. (An example includes joint City-County transit centers that could receive “1%” public art funding from Metro/King County and the City).

An Interlocal Agreement between jurisdictions may be developed to address joint purchase, ownership and other issues relative to the commission and implementation of the project’s artwork.

Section 9. Deaccessioning or Disposal of Artwork

- 9.1 At least once in every five year period, the status of all public artwork shall be reviewed by the Arts Commission.
- 9.2 For temporary artwork, removal or relocation shall generally not be considered before work has been in place for 60% of its anticipated life span.
- 9.3 Consideration for deaccessioning or disposal may be for one or more of the following reasons:
 - Condition and security of artwork cannot be reasonably assured.
 - Artwork endangers public safety.
 - Artwork is damaged, and repair is not practical.
 - Artwork required excessive maintenance.
 - Suitable site for display is no longer available. This could include a significant change in the use, character, or design of an existing site, which affects the integrity of the work.
 - Artwork is rarely or never displayed.
 - The City Department displaying the artwork requests that it’s status be reviewed.
 - The artist requests removal.
- 9.4 Following these considerations, the Arts Commission shall make a recommendation to the City Council for final decision.

Section 10. Effective Date. This ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF BURIEN, WASHINGTON, AT A REGULAR MEETING THEREOF THIS 15th DAY OF April 1, 2002.

CITY OF BURIEN

Wing Woo, Mayor

ATTEST/AUTHENTICATED:

Janice Hubbard, City Clerk

Approved as to form:

Lisa Marshall, City Attorney

Filed with the City Clerk: 4/11/02
Passed by the City Council: 4/15/02
Resolution No. 152

**CITY OF BURIEN
AGENDA BILL**

Agenda Subject: Motion to adopt an ordinance granting approval of the El Dorado West Retirement Community Rezone Request (1010 SW 134 th Street)		Meeting Date: December 6, 2010
Department: Community Development	Attachments: 1) Proposed Ordinance No. 550 with Exhibit A- Planning Commission & Staff's Findings, Conclusions and Recommendation	Fund Source: N/A Activity Cost: N/A Amount Budgeted: N/A Unencumbered Budget Authority: N/A
Contact: Stephanie Jewett, AICP, Planner		
Telephone: (206) 439-3152		
Adopted Work Plan Priority: Yes ___ No <u>X</u>	Work Plan Item Description: N/A	
<p>PURPOSE/REQUIRED ACTION: The purpose of this agenda item is for the Council to consider adopting an ordinance granting approval of the El Dorado West Rezone Request.</p> <p>BACKGROUND (Include prior Council action & discussion): The request is to rezone two parcels of land from Residential Multi-Family 18 to Residential Multi-Family 24 in order to redevelop the existing El Dorado West Retirement Community at a higher density.</p> <p>On November 9, 2010 the Planning Commission conducted an open record public hearing at which testimony from city staff and the applicant was heard. The Planning Commission unanimously recommended approval of the rezone request.</p> <p>The Council's role in all rezone requests is to review and take action on the Planning Commission's recommendation. The City Council's decision on a rezone request application must be based on the record developed by the Planning Commission. By passing proposed Ordinance No. 550, the City Council will grant approval of the El Dorado West rezone request. The ordinance will also adopt the Planning Commission's findings of fact and conclusions.</p> <p>OPTIONS (Including fiscal impacts):</p> <ol style="list-style-type: none"> 1. Approve the application (Adopt proposed Ordinance No. 550) 2. Approve the application with modifications (Adopt proposed Ordinance No. 550 with modifications) 3. Deny the application 4. Remand the application to the Planning Commission for an additional hearing on specific issues <p>For options 2 or 3, the Council must also adopt written findings of fact and conclusions that support its decision.</p>		
Administrative Recommendation: Adopt proposed Ordinance No. 550, entering findings of fact and conclusions of law and granting approval of the El Dorado West Rezone Request.		
Committee Recommendation: N/A		
Advisory Board Recommendation: The Planning Commission unanimously recommended approval of the El Dorado West Rezone Request		
Suggested Motion: Move to adopt Ordinance No. 550, granting approval of the El Dorado West Rezone Request, and adopting Findings of Fact and Conclusions as set forth by the Planning Commission.		
Submitted by: Stephanie Jewett, AICP		
Administration _____		City Manager _____
Today's Date: December 1, 2010	File Code: \\File01\records\CC\Agenda Bill 2010\120610cd-1 El Dorado West Rezone.docx	

CITY OF BURIEN, WASHINGTON

ORDINANCE NO. 550

AN ORDINANCE OF THE CITY OF BURIEN, WASHINGTON, APPROVING THE EL DORADO WEST RETIREMENT COMMUNITY REZONE REQUEST AND ENTERING FINDINGS OF FACT AND CONCLUSIONS OF LAW IN SUPPORT OF SAID APPROVAL

WHEREAS, the City of Burien Planning Commission conducted an open record public hearing on November 9, 2010, at which testimony from city staff and the applicant was heard regarding the El Dorado West Retirement Community rezone request; and

WHEREAS, on November 9, 2010 the City of Burien Planning Commission made a recommendation to the City Council to approve the El Dorado West Retirement Community rezone request;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BURIEN, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. The City Council, having considered the El Dorado West Retirement Community rezone request application and the Planning Commission's recommendation, approves the El Dorado West Retirement Community rezone request and adopts the Planning Commission's findings and conclusions attached as Exhibit "A", as fully incorporated herein.

Section 2. Severability. Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 3. Effective Date. This ordinance, or a summary thereof, shall be published in the official newspaper of the City and shall take effect and be in full force five (5) days after the date of publication.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE ____ DAY OF _____, 2010, AND SIGNED IN AUTHENTICATION OF ITS PASSAGE THIS ____ DAY OF _____, 2010.

CITY OF BURIEN

Joan McGilton, Mayor

ATTEST/AUTHENTICATED:

Monica Lusk, City Clerk

Approved as to form:

Craig D. Knutson, City Attorney

Filed with the City Clerk:
Passed by the City Council:
Ordinance No.
Date of Publication:



CITY OF BURIEN, WASHINGTON

Department of Community Development
400 SW 152nd Street, Suite 300, Burien, Washington 98166
Phone: (206) 241-4647 Fax: (206) 248-5539

Rezone Request PLA 10-0780

APPLICANT: Dave Baus with Village Concepts for El Dorado West Retirement Community

LOCATION: 1010 SW 134th Street (see Attachment 1-Vicinity Map)

CURRENT LAND USE: El Dorado West Retirement Community

TAX PARCEL #s: 1823049011 & 1823049037

REQUEST: Rezone two parcels of the existing El Dorado West Retirement Community site from Residential Multifamily-18 to Residential Multifamily-24.

SUMMARY OF RECOMMENDATIONS:

Staff

Recommendation: Approve Rezone Request

Planning Commission

Recommendation: Approve Rezone Request

PUBLIC HEARING:

Public notice of the hearing was posted in the property, mailed to property owners within 500 feet of the site and published in the Seattle Times on October 26, 2010. The hearing on the rezone request was conducted by the City of Burien Planning Commission on November 9, 2010, in City Hall, Burien, Washington. A verbatim recording of the hearing is available on the City's website and at the Burien library.

The following is a summary of the comments offered at the public hearing:

From the City

Stephanie Jewett, Planner provided an overview of the application and Staff's recommendation to approve the request.

From the Applicant

Dave Baus, Village Concepts for El Dorado West Retirement Community briefly described the need for the rezone request and the components of the project.

From the Community

No comments.

EXHIBIT A

FINDINGS & CONCLUSIONS

DISCUSSION: The Applicant is requesting to rezone two parcels of land from Residential Multifamily-18 to Residential Multifamily-24 in order to redevelop the existing 68-unit El Dorado West Retirement Community at a higher density. The Applicant's intent is to provide 102 assisted living units. Phase 1 is planned to replace the existing building's east wing with 61 units, a kitchen and a dining room. Phase 2 is planned to replace the existing building's west wing with 41 units, a social room, and offices. Preliminary project plans are included in the Applicant's submitted materials (see Attachment 5).

The zoning for the site consists of two designations, Residential Multifamily-24 on the western portion of the site and Residential Multifamily-18 on the eastern portion (see Attachment 2). In order for the site to be redeveloped at the desired higher density, the Applicant is requesting that the eastern portion of the site be rezoned from Residential Multifamily-18 to Residential Multifamily-24.

REZONE REVIEW CRITERIA: The City of Burien Zoning Code (Burien Municipal Code 19.65.090) contains the criteria for review of a proposed rezone. To be approved, the proposed rezone must meet *all* of the following criteria.

A. The rezone is consistent with the Comprehensive Plan.

1. Facts: The Comprehensive Plan designates the entire El Dorado West site as *High Density Multi-family Neighborhood* (see Attachment 3). As noted in **Policy RE 1.7** of the Comprehensive Plan, the *High Density Multi-family Neighborhood* land use designation is intended to provide for the location of stable and attractive multi-family development near transit, employment, shopping and recreation facilities at densities of up to 24 units per acre. Consistent with this policy direction, the proposed rezone to Residential Multifamily-24 allows for maximum densities of 24 units per acre.

This same policy also specifically calls out "assisted living units for seniors or disabled persons" as a use that should be allowed in areas designated for High Density Multifamily Use and makes allowances for these types of uses to be developed at densities greater than 24 units per acre when the proposed development is appropriate for the site. Consistent with this policy direction, the City's zoning code allows for "Senior Citizen Assisted Dwelling Units" in the RM-24 zone with densities greater than 24 dwelling units per acre allowed as long as the development is consistent with the City's Development Standards. Development standards include requirements such as parking, impervious surface and building coverage maximums, height maximums and landscaping.

The Comprehensive Plan also includes the following goal and policy encouraging the development of housing for seniors:

Goal HS.3 Develop and preserve a variety of housing options for Burien citizens with special needs due to age, disability, or personal circumstance.

Policy HS 3.3 The City should encourage the dispersal of special needs and senior housing throughout the City. However, special needs and senior housing must still meet the development requirements of the underlying zone. Some clustering of special needs and senior housing may be appropriate if proximity to public transportation, medical facilities or other essential services is necessary.

2. Conclusion: Criteria met.

B. The rezone bears a substantial relation to the public health, safety or welfare.

1. Facts: As indicated by the Applicant's submitted materials (Attachment 5), the rezone is being requested in order to develop an increased supply of clean, safe, housing that provides health care services for the needs of the next generation of seniors.

The redevelopment of the site will also address several public health, safety and welfare issues at the site, including –

- Aging heating and plumbing systems in need of constant repair.
- Doorways not wide enough to accommodate wheelchairs and walkers.
- Bathrooms which are not designed to provide for bathing without assistance.

2. Conclusion: Criteria met.

C. The rezone will not be materially detrimental to uses or property in the immediate vicinity of the property.

1. Facts: The following Table summarizes the comprehensive plan land use designations, zoning designations and existing land uses adjacent to the site.

Table - 1

Direction	Comp. Plan Designation	Zone	Current Uses
North	Moderate Density Residential Neighborhood	RS 7,200 (Single-Family Residential)	Single Family Residential
Northwest	High Density Multi-Family Neighborhood	RM-24 (Multi-Family Residential)	Multi Family Residential
South	High Density Multi-Family Neighborhood	RM-18 (Multi-Family Residential)	Multi Family Residential
East	Moderate Density Residential Neighborhood	RS 7,200 (Single-Family Residential)	Single Family Residential
West	High Density Multi-Family Neighborhood	RM-24 (Multi-Family Residential)	El Dorado West Retirement Community

The proposed rezone will be compatible with the properties located directly to the west, northwest and south of the site, which are all zoned for multi-family use. The property located to the west of the site is currently designated for High Density Residential use in the Comprehensive Plan, is zoned RM-24 Residential Multi-Family, and is currently developed as part of the existing El Dorado West Retirement Community. The property to the northwest of the site is currently designated for High Density Residential use in the Comprehensive Plan, is zoned RM-24 Residential Multi-family, and is currently developed as the “Squire of Ambaum” apartment complex. The property to the south of the site across SW 134th Street is designated for High-Density Residential use in the Comprehensive Plan, is zoned RM-18 Multi-family Residential and is developed as the “Quiet Maple Townhomes”.

The properties to the east and directly north of the site are designated Moderate Density Residential Neighborhood, are zoned RS-7,200 Residential Single-Family, and are developed with single family homes. These properties may experience some visual impacts given the planned redevelopment of the site. However, any future redevelopment on the site will be required to comply with the City’s Transition Area requirements, which are designed to provide standards for creation of a buffer between multi-family and single-family zones, including the following provisions –

- **Installation of a 20 ft. wide “full screen” landscape buffer** along the property line between the site and the adjacent single-family zoned properties to the east and the north of the site. The “full screen” is achieved through specific requirements including

the requirement that the buffer consist of primarily evergreen trees and shrubs, with the trees spaced no more than 25 feet on center and the shrubs spaced no more than four feet apart. See Attachment 4 for the location and extent of the required 20 ft. landscape buffer. The purpose of the landscaping buffer is to screen the buildings and activities in order to decrease any impacts to adjoining single-family uses. Landscaping helps mitigate visual impacts and to some degree noise impacts between land uses. It's also important to note that the existing single-family residences adjacent to the eastern and northern boundary of the site currently have existing landscaping screens (see Attachment 1).

- **Building Façade and roofline modulation** will be required on any facades and rooflines that exceed 60 feet in length and face the adjacent single-family zoned properties to the east and the north of the site. The purpose of building façade and roofline modulation is to reduce the visual bulk and mass of buildings to adjacent single-family uses.
- **Truck loading spaces, refuse collection areas and mechanical equipment** will be required to be located as far away as possible from the adjacent single-family zoned properties to the east and the north of the site. The purpose of this requirement is to limit noise and odor impacts, commonly created by these building components, to adjacent single-family uses.

Given these requirements, possible visual and noise impacts to the single-family zoned properties to the north and east of the site from future redevelopment of the site will be mitigated.

In addition, changes to traffic generated from the proposed redevelopment of the El Dorado West site is estimated to be minimal. As stated in the Applicant's submitted Traffic Impact Analysis (Attachment 5) only 4 new AM peak-hour trips and 7 new PM peak hour trips are estimated.

2. Conclusion: Criteria met.

D. The rezone has merit and value for the community as a whole.

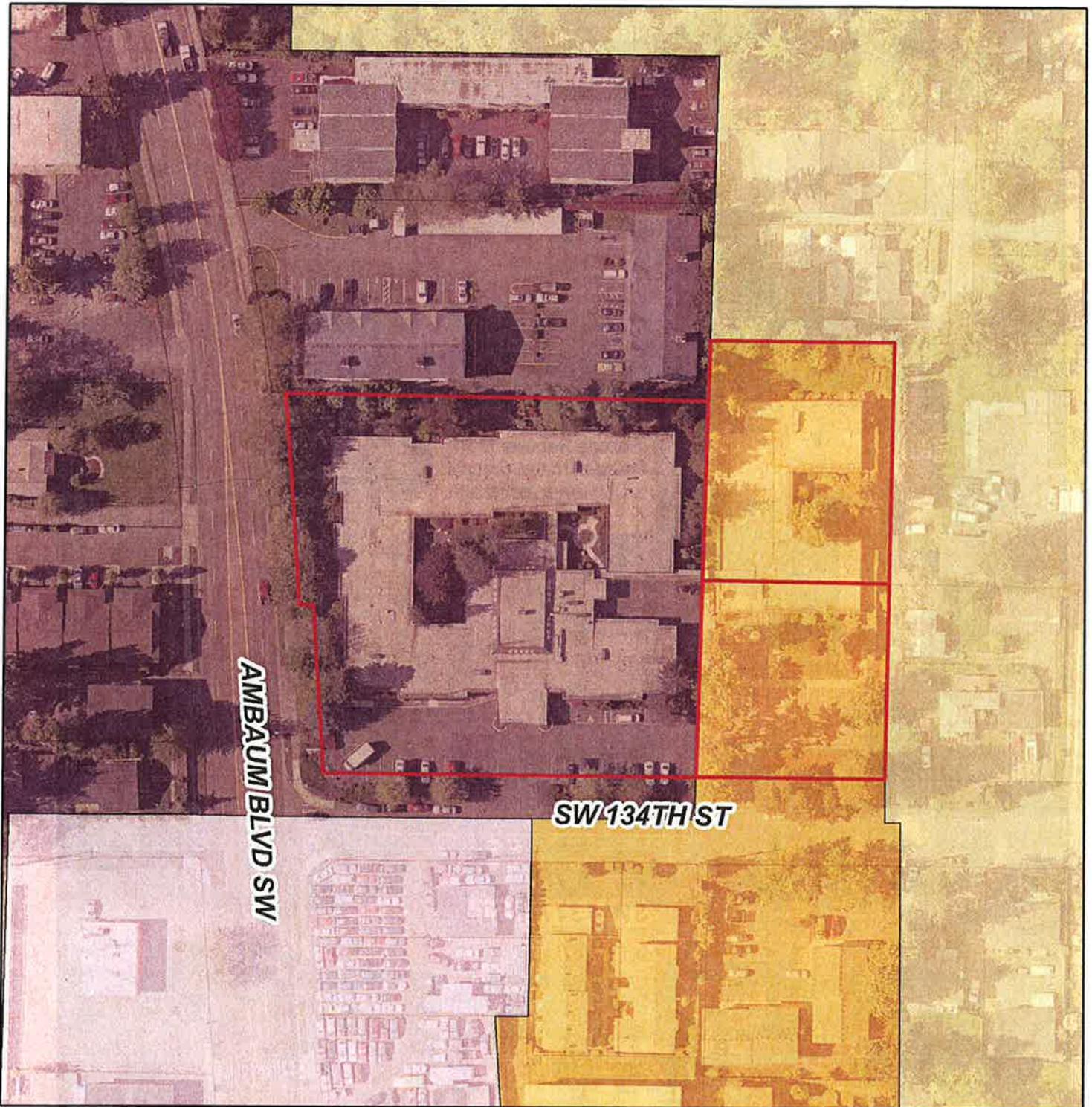
1. Facts: The rezone has merit and value for the community as a whole given 34 more housing units to serve the needs of senior citizens will be able to be developed compared to what the existing zoning allows.
2. Conclusion: Criteria met.

ATTACHMENTS

- 1- Vicinity Map
- 2- Current Zoning Designations
- 3- Comprehensive Plan Land Use Designations
- 4- Twenty Foot Landscape Buffer
- 5- Submitted Application Materials



PLA 10-0000
 El Dorado West Rezone Request
 Current Zoning



Legend

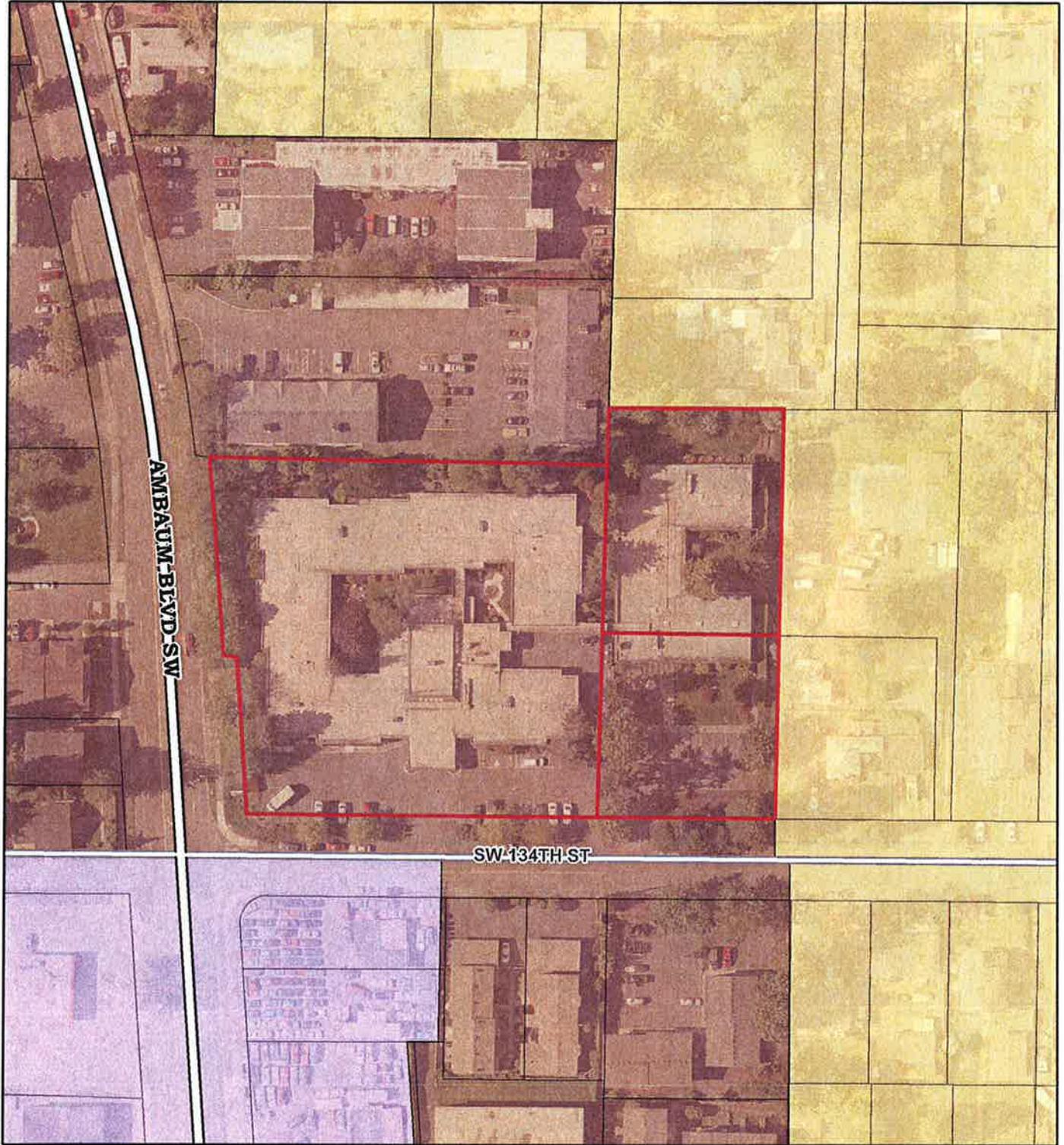
- RM-18 Residential Multi-Family
- RS-7,200 Residential Single-Family
- RM-24 Residential Multi-Family
- CI

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PLA 10-0700
 El Dorado West Rezone Request
 Comprehensive Plan Land Use Designations



Legend

- Moderate Density Residential Neighborhood
- High Density Multi-Family Neighborhood
- Intersection Commercial

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PLA 10-0770
El Dorado West Rezone Request
20 FT Landscape Buffer



Legend

 Landscape Buffer

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For Attachment 5 see online packet or contact Stephanie Jewett, Planner at 439-3152

**CITY OF BURIEN
AGENDA BILL**

Agenda Subject: Discussion regarding 2010 Comprehensive Plan Text and Map Amendments.		Meeting Date: December 6, 2010
Department: Community Development	Attachments: 1) Draft Ordinance No. 551 2) Amendment 2010-1 3) Amendment 2010-2 (Findings for denial) 4) Amendment 2010-2 (Alternate findings for approval) 5) Planning Commission Meeting Minutes	Fund Source: N/A Activity Cost: N/A Amount Budgeted: N/A
Contact: Scott Greenberg AICP, Community Development Director		
Telephone: (206) 248-5519		
Adopted Work Plan Priority: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Work Plan Item Description: Processing and adoption of annual comprehensive plan amendments.	
<p>PURPOSE/REQUIRED ACTION: The purpose of this agenda item is to present to the City Council a draft ordinance along with Planning Commission and staff recommendations for the 2010 Comprehensive Plan amendments. The Council may ask questions, request more information or comment on the information attached. No action is necessary at this time.</p> <p>BACKGROUND (Include prior Council action & discussion): In 1997, the City of Burien adopted its first Comprehensive Plan. Amendments were approved periodically from 1998 to 2002. In 2003, the City Council completed mandatory updates to the Comprehensive Plan to comply with state law. Annual amendments to the Comprehensive Plan must be approved in a single ordinance per state law.</p> <p>A draft ordinance approving 2010-1 and denying 2010-2 is labeled Attachment 1. The Planning Commission recommended approval of Amendment 2010-1 (NERA Comprehensive Plan Text Amendment) on October 26, 2010; staff also recommends approval (See Attachment 2).</p> <p>The Planning Commission was unable to make a recommendation on Amendment 2010-2 (Comprehensive Plan Amendment and Rezone for the Lake Burien Neighborhood). Planning Commission motions to approve the request failed on a 3-3 vote on November 16, 2010; staff recommends denial. Attachment 3 supports denial of the request. Attachment 4 is an alternate recommendation requested by the Planning Commission supporting approval of the request. Both are provided to facilitate Council discussion. Available Planning Commission meeting minutes are attached to the agenda bill (Attachment 5).</p> <p>A City Council decision on both amendments must occur by the end of the calendar year pursuant to state law.</p> <p>FUTURE ACTIONS December 13, 2010, the City Council is scheduled to take possible action on the proposed amendments.</p> <p>OPTIONS (Including fiscal impacts): N/A</p>		
Administrative Recommendation: Receive presentations, ask questions, request more information and/or comment on Planning Commission and staff recommendations.		
Committee Recommendation: N/A		
Advisory Board Recommendation: The Planning Commission recommended approval of 2010-1 and was unable to make a recommendation on 2010-2.		
Suggested Motion: None required.		
Submitted by: Scott Greenberg, AICP		
Administration _____	City Manager _____	
Today's Date: November 30, 2010	File Code: \\File01\records\CC\Agenda Bill 2010\120610cd-2 CompPlanAmend 2010.docx	

CITY OF BURIEN, WASHINGTON

ORDINANCE NO. 551

AN ORDINANCE OF THE CITY OF BURIEN, WASHINGTON, RELATING TO 2010 COMPREHENSIVE PLAN AND ZONING MAP AMENDMENTS, APPROVING PROPOSED AMENDMENT 2010-1, DENYING PROPOSED AMENDMENT 2010-2, AMENDING THE COMPREHENSIVE PLAN TEXT, ADOPTING FINDINGS, PROVIDING FOR SEVERABILITY, AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council adopted the Comprehensive Plan of the City of Burien on November 17, 1997, as required by the Growth Management Act ("GMA") of 1990, as amended, and also adopted the Comprehensive Plan pursuant to RCW Chapter 35A.63; and

WHEREAS, the City Council adopted Resolution No. 315 on July 19, 2010, which established the docket of possible Comprehensive Plan amendments to be considered as part of the City's annual amendment package; and

WHEREAS, public notice was provided and the City of Burien Planning Commission held a public hearing on October 12, 2010 on the proposed amendments to the zoning map, comprehensive plan map and comprehensive plan text; and

WHEREAS, the City Council has received recommendations from the Planning Commission regarding the proposed amendments; and

WHEREAS, the City Council held public meetings on December 6, 2010 and December 13, 2010 to discuss the proposed amendments; and

WHEREAS, the City of Burien has complied with the requirements of the State Environmental Policy Act and the City Environmental Procedures Code; and

WHEREAS, the City of Burien provided the proposed comprehensive plan amendments to the Washington State Department of Commerce on October 6, 2010 and did not receive any comments by the 60-day comment deadline of December 4, 2010; and

WHEREAS, based on careful consideration of the facts and law, including without limitation, the King County Countywide Planning Polices, public testimony and the records and files on file with the office of the City Clerk including the following:

- September 28, 2010, October 12, 2010, October 26, 2010, November 9, 2010, and November 16, 2010 Planning Commission meeting minutes;
- September 28, 2010, October 12, 2010, October 26, 2010, November 9, 2010, and November 16, 2010 Planning Commission public comments received;
- Planning Commission and staff recommendation report and findings (attached Exhibit B)
 - o 2010-1, Northeast Redevelopment Area (NERA) Property Acquisition Areas Text

Amendment;

- Staff recommendation report and findings (attached Exhibit C)
 - o 2010-2, Chestine and Robert Edgar for Lake Burien Neighborhood Comprehensive Plan Map Amendment and Rezone Request;

The City Council finds that approval of Amendment 2010-1 to the City of Burien Comprehensive Plan attached hereto as Exhibit A and denial of Amendment 2010-2 comply with the requirements of the Washington State Growth Management Act and the City of Burien Zoning Code;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BURIEN, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1: Amendment to the Comprehensive Plan Text. The City Council hereby adopts the change to the Burien Comprehensive Plan Text, attached as Exhibit A, and further adopts the findings in support of said change, attached as Exhibit B, which Exhibits A and B are incorporated by this reference as if fully set forth herein.

Section 2: Denial of Amendment Request 2010-2. The City Council hereby denies the Comprehensive Plan Map Amendment and Rezone request 2010-2 filed by Chestine and Robert Edgar and adopts the findings in support of said denial, attached as Exhibit C and incorporated by this reference as if fully set forth herein.

Section 3: Severability. Should any section, subsection, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 4: Effective Date. This ordinance, or a summary thereof, shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE
____ DAY OF DECEMBER, 2010, AND SIGNED IN AUTHENTICATION OF ITS PASSAGE THIS
____ DAY OF DECEMBER, 2010.

CITY OF BURIEN

Joan McGilton, Mayor

ATTEST/AUTHENTICATED:

Monica Lusk, City Clerk

Approved as to form:

Craig D. Knutson, City Attorney

Filed with the City Clerk:
Passed by the City Council:
Ordinance No. 551
Date of Publication:

Ordinance 551
Exhibits A and B

See Attachment 2 Amendment 2010-1 Staff Report

Ordinance 551
Exhibit C

See Attachment 3 Amendment 2010-2 Findings for Denial

CITY OF BURIEN
Dept. of Community Development
400 SW 152nd Street, Suite 300
Burien, WA 98166
(206) 248-5510

2010 Comprehensive Plan Text Amendment

AMENDMENT REFERENCE NUMBER: 2010-1

APPLICANT(S): City of Burien

LOCATION: Comprehensive Plan Text Amendment

REQUEST:

Repeal all or part of "Property Acquisition Areas" (Goal PA-1 and Policies PA 1.1 – PA 1.9 on pages 2-36 and 2-37 of the Burien Comprehensive Plan.

TAX PARCEL NUMBER(S): Not applicable

PLANNING COMMISSION AND STAFF RECOMMENDATION:

Repeal all of Goal PA-1 Property Acquisition Areas and Policies PA 1.1 – PA 1.9 as set forth in Attachment 1.

FINDINGS

HISTORY:

In 1995, the Burien City Council adopted Ordinance No. 133 which established Chapter 18.130 of the interim zoning code to regulate property acquisition by public entities. The newly established chapter was directed primarily at airport affected properties in the northeast portion of Burien which were being acquired by the Port of Seattle.

In 1997, the City's initial Comprehensive Plan recognized the impact of airport operations on the northeast portion of Burien. The Plan created the "Northeast Special Planning Area" to provide policy guidance for future redevelopment to airport-compatible uses.

In 2001-2003, the City created a "Joint Advisory Committee" of interested area residents, property owners, Port of Seattle and business interests to create a more specific plan for facilitating such redevelopment in the newly named "Northeast Redevelopment Area" (NERA). Following preparation of a Supplemental Environmental Impact Statement (SEIS), the City Council adopted new Comprehensive Plan policies and zoning regulations for "Special Planning Area 4" (SPA-4). The new SPA-4 was designed to encourage redevelopment of the entire NERA with business park uses. The Council established a 2 acre minimum parcel size for redevelopment and prohibited new residential uses.

Since 2003, SeaTac Airport's third runway opened, and the economy entered a recession and with little redevelopment over the intervening years, the City Council authorized a new effort to redefine the NERA which culminated in 2009 with the adoption of Ordinance No. 529. The adopted amendments encourages creation of an airport-compatible business park in a new "Airport Industrial" (AI) zoning designation, with new residential uses and small businesses allowed in a new "Professional-Residential" (PR) zoning designation in the northwest part of the area along 8th Avenue South. The amendment also eliminated the 2 acre minimum required for redevelopment and allows auto sales and retail uses in the southern portion of the AI zoned area.

Ordinance No. 529 also repealed BMC 18.130 providing planning and zoning guidance for property acquisition by public entities. The language in Comprehensive Plan Goal PA.1 mirrors that language which was eliminated from the Burien Zoning Ordinance by Ordinance No. 529 and adoption of the proposed Comprehensive Plan amendment would ensure the two documents are consistent.

REVIEW OF CRITERIA FOR COMPREHENSIVE PLAN AMENDMENT

Zoning Code section 19.65.095.4 contains the criteria for review of a proposed Comprehensive Plan amendment. To be approved, the proposed amendment must meet all of the following criteria:

A. The request has been filed in a timely manner.

The request to amend the Comprehensive Plan for elimination of Comprehensive Plan Goal PA.1 and Plan Policies PA 1.1 – PA 1.9 was made prior to June 1, 2010, as required in BMC 19.65.095.

B. There is a public need for the proposed amendment.

The public need for the amendment is to complete land use actions which were initiated by Ordinance No. 529 to provide for the orderly transition of land uses in the Northeast Redevelopment Area (NERA) and ensure the Comprehensive Plan and Zoning Ordinance are consistent with one another.

C. The proposed amendment is the best means for meeting the identified public need.

The proposed amendment will eliminate language in the Comprehensive Plan which has been removed from the Zoning Ordinance by the Burien City Council and will ensure consistency between the two documents.

D. The proposed amendment is consistent with the overall intent of the goals and policies of the Burien Comprehensive Plan, Growth Management Act and Countywide Planning Policies; and

Approval of the proposed amendment will ensure consistency between the goals and policies of the Burien Comprehensive Plan and Zoning Ordinance in conformance with the stated intent of the Growth Management Act requiring consistency.

There are no applicable policies in the King County Countywide Planning Policies relating to the proposed amendment.

E. The proposed amendment will result in a net benefit to the community.

The proposed amendments will facilitate redevelopment of land impacted by airport operations, providing additional revenues to the community and more flexibility for property owners in the area.

F. The revised Comprehensive Plan will be internally consistent.

The proposed amendments will be consistent with the remaining portions of the Comprehensive Plan.

G. The capability of the land can support the projected land use.

Approval of the proposed amendment will not impact the ability of the land to support projected land use.

H. Adequate public facility capacity to support the projected land use exists or can be provided by the property owner(s) requesting the amendment, or can be cost-effectively provided by the City or other public agency.

Approval of the proposed amendment will not impact public facility capacities.

I. The proposed amendment will be compatible with nearby uses.

NERA development standards are already in place as a result of Ordinance No. 529, and will result in adequate protections for publically acquired properties.

J. The proposed amendment would not result in the loss of capacity to meet other needed land uses, such as housing.

Approval of the proposed amendment will not impact the capacity to meet other needed land uses, such as housing.

K. For a Comprehensive Plan map change, the applicable designation criteria are met and either of the following is met:

i. Conditions have so markedly changed since the property was given its present Comprehensive Plan designation that the current designation is no longer appropriate;

ii. The map change will correct a Comprehensive Plan designation that was inappropriate when established.

Not Applicable. No change is proposed for the Comprehensive Plan map.

ATTACHMENTS

1—Proposed Comprehensive Plan Text Amendments

2—Eliminated Chapter 18.130 Property Acquisition by Public Entities

ATTACHMENT 1
City of Burien
Comprehensive Plan Text Amendment

Property Acquisition Areas

Goal PA-1

~~*Continue to maintain control over land use within the City in order to prevent degradation of economic vitality, property values, essential infrastructure and the natural environment.*~~

~~Pol. PA 1.1 — All land acquired within the City for public purposes by public entities is subject to the City's zoning and planning jurisdiction and shall be developed in a manner consistent with City regulations (planning, zoning, development standards, health, and safety requirements) to the extent allowed by law.~~

~~Pol. PA 1.2 — Except as provided by state law, including RCW 36.70A.200, all land acquired within the City for public purposes by public entities shall be designated for use as open space land or for public facilities designed to benefit the City and its residents (e.g. fire station, school building) and shall be subject to the zoning requirements applicable to open space and or public facilities. The open space land use and open space zoning designation shall allow only parks, recreational, and open space areas, or other public land uses.~~

~~Pol. PA 1.3 — Except to the extent otherwise provided in state law, property within the City acquired for public purposes by public entities may not be used for new commercial activities, unless the City makes a finding that such land uses are of value to the City and should be permitted. All commercial land uses of property shall be subject to City land use regulations and shall be restricted in accordance with the City's land use plans, zoning ordinances and development regulations to the extent allowed by law.~~

~~Pol. PA 1.4 — Modification, demolition, and relocation of buildings and structures on land acquired within the City for public purposes by public entities shall require City approval and permits to the extent allowed by law.~~

~~Pol. PA 1.5 — The City Department of Community Development shall adopt and implement permitting procedures for building, health, and safety regulations to be administered by the City.~~

~~Pol. PA 1.6 — Public entities acquiring areas within the City for public purposes shall perform a SEPA environmental checklist and an environmental survey to investigate soil and site contamination before the City will allow site preparation, construction or demolition activities. All identified soil and site contamination shall be remediated as a condition of site modification.~~

~~Pol. PA 1.7 — Any site development activity on land acquired within the City for public purposes by public entities shall meet City zoning regulations.~~

~~Pol. PA 1.8 — To the extent allowed by law, the City shall retain full authority over the management, operation, and maintenance of streets and street right of ways in land acquired within the City for public purposes by public entities.~~

~~Pol. PA 1.9 — The City shall develop a permit process whereby public streets may be vacated.~~

ATTACHMENT 2
City of Burien
Zoning Ordinance Text Removed by Ordinance No. 529

Chapter 18.130

PROPERTY ACQUISITION BY PUBLIC ENTITIES

Sections:

- 18.130.010 Planning and zoning jurisdiction on lands acquired by public entities.
- 18.130.020 Limits on use of land acquired by public entities.
- 18.130.030 Requirements for development on lands acquired by public entities.
- 18.130.040 Management of streets and street rights-of-way within and adjacent to land acquired by public entities.

18.130.010 Planning and zoning jurisdiction on lands acquired by public entities.

(1) All land acquired within the city of Burien for public purposes by public entities is subject to the city's zoning and planning jurisdiction.

(2) All land acquired within the city of Burien for public purposes by public entities shall be developed in a manner consistent with city planning, zoning, development, health, and safety requirements. [Ord. 133 § 1, 1995]

18.130.020 Limits on use of land acquired by public entities.

(1) Except to the extent otherwise provided in state law, all land acquired within the city of Burien for public purposes by public entities shall be designated for use as parks and recreation land or for community facilities designed to benefit the city and its residents (e.g. fire station, school building) and shall be subject to the zoning requirements applicable to parks and recreation and/or public facilities. The open space land use and open space zoning designation shall allow only parks, recreational areas, or other public land uses.

(2) Except to the extent otherwise provided in state law, property within the city of Burien acquired for public purposes by public entities may not be used for new commercial activities, unless the city makes a finding that such land uses are of value to the city and should be permitted. All commercial land uses of property shall be subject to city land use regulations and shall be restricted in accordance with the city's land use plans, zoning ordinances and development regulations.

(3) Modification, demolition, and relocation of buildings and structures on land acquired within the city of Burien for public purposes by public entities shall require city approval and permits.

(4) The city of Burien shall adopt and implement permitting procedures for building, health, and safety regulations. [Ord. 133 § 1, 1995]

18.130.030 Requirements for development on lands acquired by public entities.

(1) Public entities acquiring areas within the city of Burien for public purposes shall perform a SEPA environmental checklist and an environmental survey to investigate soil and site contamination before the city of Burien will allow site preparation, construction or demolition activities. All identified soil and site contamination shall be remediated as a condition of site modification.

(2) Any site development activity on land acquired within the city of Burien for public purposes by public entities shall meet city of Burien zoning regulations. [Ord. 133 § 1, 1995]

18.130.040 Management of streets and street rights-of-way within and adjacent to land acquired by public entities.

The city shall retain full authority over the management, operation, and maintenance of streets and street rights-of-way in land acquired within the city of Burien for public purposes by public entities. [Ord. 133 § 1, 1995]

CITY OF BURIEN
Department of Community Development
400 SW 152nd Street, Suite 300
Burien, WA 98166
(206) 248-5510

2010 Comprehensive Plan Amendment and Rezone Request
Staff Recommendation--November 10, 2010

AMENDMENT REFERENCE NUMBER

2010-2

APPLICANT

Chestine and Robert Edgar for Lake Burien Neighborhood

TAX PARCEL NUMBER

Various (See Vicinity Map)

REQUESTS

1. Change Comprehensive Plan designation of Lake Burien Neighborhood, as defined by applicant, from Moderate Density Single-Family Residential to Low Density Single-Family Residential.
2. Rezone Lake Burien Neighborhood, as defined by applicant, from RS-7,200 (Residential Single-Family) to RS-12,000 (Residential Single-Family).

STAFF RECOMMENDATIONS

1. Deny Comprehensive Plan designation change of Lake Burien Neighborhood, as defined by applicant, from Moderate Density Single-Family Residential to Low Density Single-Family Residential.
2. Deny rezone of Lake Burien Neighborhood, as defined by applicant, from RS-7,200 (Residential Single-Family) to RS-12,000 (Residential Single-Family).

FINDINGS

HISTORY

Comprehensive Plan Land Use Designations:

1993: The City of Burien Interim Land Use Plan and Map (Ordinance 27) designated the subject properties as Single Family (RS-7,200).

1997: The City of Burien Comprehensive Plan Map designated the subject properties as Single-Family (3 units per acre).

1999: The Burien Comprehensive Plan map designated the subject properties as Moderate Density Single-Family (5 – 6 units per acre).

Zoning Designations:

1981: The King County Zoning Map designated the subject parcels RS-7,200 Single-Family Residential.

1994 - Ordinance 87 map attachment shows the subject parcels zoned R-6 Single-Family Residential (Six units per acre).

1997 - Ordinance 252 map attachment shows the subject parcels zoned RS-7,200 Single-Family Residential.

1999 - Ordinance 264 map attachment shows the subject parcels zoned RS-7,200 Residential Single-Family.

CURRENT LAND USE: Single-family residences are the predominant land use.

ADJACENT COMPREHENSIVE PLAN/ZONING DESIGNATIONS

Direction	Comp. Plan Designation	Zone	Current Uses
North	Moderate Density Residential Neighborhood	RS-7,200 (Single-Family Residential)	Single-Family Residences
Northwest	Neighborhood Commercial and Low Density Multi-Family Residential Neighborhood	CN (Neighborhood Center) and RM-12 (Multi-Family Residential)	Neighborhood Commercial and Multi-Family Residences
South	Moderate Density Residential Neighborhood	RS-7,200 (Single-Family Residential)	Single-Family Residences
West	Low Density Residential Neighborhood	RS-12,000 (Single-Family Residential)	Single-Family Residences and Private Elementary School
East	Special Planning Area 2 (Ruth Dykeman Children's Center) and High Density Multi-Family Neighborhood	Special Planning Area 2 (Ruth Dykeman Children's Center) and RM-18 Residential Multi-Family	Juvenile Treatment Facility and Multi-Family Residences

DISCUSSION

The current Comprehensive Plan and Zoning designations for the Lake Burien Neighborhood, as defined by the applicant (see Attachment 3), allow for single-family uses with minimum lot sizes of

7,200 square feet. Of the approximately 135 lots, the majority of the lots are developed with single-family residences (see Attachments 1 and 2). The applicant indicates that Lake Burien is a critical area and warrants extra protection a more environmentally compatible comprehensive plan map designation. The applicant also contends that there is a conflict between the comprehensive plan text and map for the area surrounding Lake Burien. The requested Comprehensive Plan amendment and rezone request from Moderate Density Residential to Low Density Residential and from RS-7,200 Single-Family Residential to RS-12,000 Single-Family Residential is proposed to address both of these concerns.

The area surrounding Lake Burien has been delineated as a moderate density residential area since the incorporation of the City of Burien. With the exception of a brief period in 1997, the zoning designation for the area has been 6-units per acre since 1981 when King County controlled the zoning. The overall density of development in the area is approximately 3.1 units per acre. There is no apparent conflict between the text and the plan map in this regard.

In regard to the protection of critical areas, the requested change would have far less effect on generation of surface water runoff and other aspects for protection of water quality. Regulations are already in place, as part of the Critical Areas portion of the zoning code or targeted low impact development measures could be pursued through the permitting process to better achieve environmental protection. The requested change would impact only the relatively small number of lots that could be developed in the future and the difference in maximum impervious surface coverage and other development standards in the RS-7,200 and RS-12,000 could create non-conforming properties with regard to impervious surface coverage. There are provisions in the zoning code to address lots which exceed this development standard.

REVIEW OF CRITERIA FOR COMPREHENSIVE PLAN AMENDMENT

Zoning Code section 19.65.095.4 contains the criteria for review of a proposed Comprehensive Plan amendment. To be approved, the proposed amendment **must meet all of the following criteria** (shown in bold italics, followed by staff response):

A. The request has been filed in a timely manner.

The request was made by a resident of the area under consideration. The request was received by the City of Burien on June 1, 2010 consistent with the June 1, 2010 deadline date, as required in BMC 19.65.095.

B. There is a public need for the proposed amendment.

It has not been adequately demonstrated that the current map designation of the area for Moderate Density Residential Development is in conflict with the Comprehensive Plan text. Additionally, it has not been demonstrated that the requested change would more effectively address the public need than could be addressed using existing Critical Area protective regulations based on existing policies in the Comprehensive Plan which are related to environmental protection.

C. *The proposed amendment is the best means for meeting the identified public need.*

The proposed amendment is not the best means for addressing the environmental issues for the subject area properties surrounding Lake Burien. There are better means such as Critical Area regulations, storm water regulations and targeted low impact development measures implemented during the permitting process would be more effective.

D. *The proposed amendment is consistent with the overall intent of the goals and policies of the Burien Comprehensive Plan, Growth Management Act and Countywide Planning Policies.*

As stated in the Burien Comprehensive Plan (Policy RE 1.5), the intent of the Low Density Residential Neighborhood Designation is to provide for low density residential development. Development in this designation includes existing neighborhoods that are zoned for four units per acre or less.

Properties designated Low Density Residential neighborhood should reflect the following criteria (shown in italics, followed by staff response):

1. The area is already generally characterized by single family residential development at four units per acre or less; and

The neighborhood is generally characterized by residential development of four units per acre or less.

2. Relative to other residential areas within the City, the area is characterized by lower intensity development as shown on Map LU-2 (page 2-3).

The neighborhood is designated for suburban intensity development as shown on Map LU-2.

3. The land is designated as a potential landslide hazard area, steep slope area, or wetland on the City of Burien's Critical Area Map,

A portion of the neighborhood immediately adjacent to the lake is designated wetland on the Critical Areas Map.

4. The existing and planned public facilities for the area cannot adequately support a higher density.

There are sufficient existing and planned public facilities to support the current density.

5. The area is subject to existing impacts from high levels of airport-related noise.

The area is subject to airport-related noise but is not subject to high levels of airport-related noise.

The area subject to the requested amendment is more reflective of its current designation when one reviews the criteria in Policy RE 1.6, Moderate Density Residential Neighborhood. This designation is characterized by single family residential uses at greater than four units per acre, existing public facilities adequate to support residential development at current density, does

not have significant amounts of critical areas and if located outside the area designated as Urban, is limited to five units per acre.

E. The proposed amendment will result in a net benefit to the community.

The applicant has not demonstrated that the proposed amendment will result in a net benefit to the community from increased protection of water quality and critical areas as more targeted and efficient measures are already in place as a result of other Comprehensive Plan policies, Critical Area and storm water regulations.

F. The revised Comprehensive Plan will be internally consistent.

The applicant has not demonstrated any existing inconsistency in the Comprehensive plan that would warrant the proposed amendment and approval of the proposed amendment would be inconsistent with existing policies.

G. The capability of the land can support the projected land use.

The proposed amendment, contrary to the applicant's claim, will not have an impact on existing density and since the benefits of changing the designation from moderate to low density will be minimal the capability of the land to support the projected land use classification will not be appreciably affected.

H. Adequate public facility capacity to support the projected land use exists, or, can be provided by the property owner(s) requesting the amendment, or, can be cost-effectively provided by the City or other public agency.

Adequate public facility capacity exists to support the requested amendment.

I. The proposed amendment will be compatible with nearby uses.

The proposed amendment will be compatible with the properties located on a small portion of the north boundary and a small portion of the west boundary of the subject area. The proposed amendment will not necessarily be compatible with properties located on a portion of the west boundary that are designated Multi-Family and Neighborhood Commercial and on a portion on the east boundary that are designated Special Planning Area 2 and Multi-Family.

J. The proposed amendment would not result in the loss of capacity to meet other needed land uses, such as housing.

The proposed amendment would result in the loss of capacity to meet other needed land uses such as housing, as the applicant acknowledges in the application. Measures cited by the applicant, such as transfer of development rights, are not currently included in the Comprehensive Plan and could not be used to mitigate this impact. The shifting of responsibility for meeting housing capacity requirements cannot be accomplished through the proposed amendment.

K. For a Comprehensive Plan map change, the applicable designation criteria are met and either of the following is met:

- i. Conditions have so markedly changed since the property was given its present Comprehensive Plan designation that the current designation is no longer appropriate; or,***
- ii. The map change will correct a Comprehensive Plan designation that was inappropriate when established.***

The applicant has not demonstrated that conditions have so markedly changed since the previous designation that the current designation is no longer appropriate or that the map change is required to correct a designation that was inappropriate when established. The existing designation as Moderate Density Residential Neighborhood was established as a result of a public planning process and has been in place since Burien's incorporation in 1993.

REVIEW OF CRITERIA FOR REZONE

Zoning Code section 19.65.090.3 contains the criteria for review of a proposed rezone. To be approved, the proposed amendment **must meet all of the following criteria** (shown in bold italics, followed by staff response):

A. The rezone is consistent with the Comprehensive Plan.

The proposed rezone to RS-12,000 Single-Family Residential would be consistent with the proposed Comprehensive Plan if the Comprehensive Plan designation is changed. Staff is recommending that the Comprehensive Plan change be denied (see discussion above).

B. The rezone bears a substantial relation to the public health, safety or welfare.

The rezone would not provide significant protection for critical areas in regard to water quality, given the relatively minor difference in impervious surface coverage requirements as a result of the requested rezone. More effective avenues already exist for addressing critical area protection and surface water impacts on Lake Burien (see discussion above). Consequently, the rezone will not significantly contribute to the public's health, safety and welfare.

C. The rezone will not be materially detrimental to uses or property in the immediate vicinity of the property.

There is no evidence to support that a rezone would be materially detrimental to uses in the immediate vicinity of the subject area.

D. The rezone has merit and value for the community as a whole.

The rezone does not have merit and value for the community as a whole (see discussion above).

ATTACHMENTS (see earlier packets)

- 1- Vicinity Zoning and Land Use Map
- 2- Aerial Photo, dated 2009
- 3- Comprehensive Plan Amendment Request, June 1, 2010

CITY OF BURIEN
Department of Community Development
400 SW 152nd Street, Suite 300
Burien, WA 98166
(206) 248-5510

2010 Comprehensive Plan Amendment and Rezone Request
Alternate Recommendation—November 10, 2010

AMENDMENT REFERENCE NUMBER

2010-2

APPLICANT

Chestine and Robert Edgar for Lake Burien Neighborhood

TAX PARCEL NUMBER

Various (See Vicinity Map)

REQUESTS

1. Change Comprehensive Plan designation of Lake Burien Neighborhood, as defined by applicant, from Moderate Density Single-Family Residential to Low Density Single-Family Residential.
2. Rezone Lake Burien Neighborhood, as defined by applicant, from RS-7,200 (Residential Single-Family) to RS-12,000 (Residential Single-Family).

PLANNING COMMISSION RECOMMENDATIONS

1. Approve Comprehensive Plan designation change of Lake Burien Neighborhood, as defined by applicant, from Moderate Density Single-Family Residential to Low Density Single-Family Residential.
2. Approve rezone of Lake Burien Neighborhood, as defined by applicant, from RS-7,200 (Residential Single-Family) to RS-12,000 (Residential Single-Family).

FINDINGS

HISTORY

Comprehensive Plan Land Use Designations:

1993: The City of Burien Interim Land Use Plan and Map (Ordinance 27) designated the subject properties as Single Family (RS-7,200).

1997: The City of Burien Comprehensive Plan Map designated the subject properties as Single-Family (3 units per acre).

1999: The Burien Comprehensive Plan map designated the subject properties as Moderate Density Single-Family (5 – 6 units per acre).

Zoning Designations:

1981: The King County Zoning Map designated the subject parcels RS-7,200 Single-Family Residential.

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1997 - Ordinance 252 map attachment shows the subject parcels zoned RS-7,200 Single-Family Residential.

1999 - Ordinance 264 map attachment shows the subject parcels zoned RS-7,200 Residential Single-Family.

CURRENT LAND USE: Single-family residences are the predominant land use.

ADJACENT COMPREHENSIVE PLAN/ZONING DESIGNATIONS

Direction	Comp. Plan Designation	Zone	Current Uses
North	Moderate Density Residential Neighborhood	RS-7,200 (Single-Family Residential)	Single-Family Residences
Northwest	Neighborhood Commercial and Low Density Multi-Family Residential Neighborhood	CN (Neighborhood Center) and RM-12 (Multi-Family Residential)	Neighborhood Commercial and Multi-Family Residences
South	Moderate Density Residential Neighborhood	RS-7,200 (Single-Family Residential)	Single-Family Residences
West	Low Density Residential Neighborhood	RS-12,000 (Single-Family Residential)	Single-Family Residences and Private Elementary School
East	Special Planning Area 2 (Ruth Dykeman Children's Center) and High Density Multi-Family Neighborhood	Special Planning Area 2 (Ruth Dykeman Children's Center) and RM-18 Residential Multi-Family	Juvenile Treatment Facility and Multi-Family Residences

DISCUSSION

The current Comprehensive Plan and Zoning designations for the Lake Burien Neighborhood, as defined by the applicant (see Attachment 3), allow for single-family uses with minimum lot sizes of

7,200 square feet. Of the approximately 135 lots, the majority of the lots are developed with single-family residences (see Attachments 1 and 2). The applicant indicates that Lake Burien is a critical area and warrants extra protection a more environmentally compatible comprehensive plan map designation. The applicant also contends that there is a conflict between the comprehensive plan text and map for the area surrounding Lake Burien. The requested Comprehensive Plan amendment and rezone request from Moderate Density Residential to Low Density Residential and from RS-7,200 Single-Family Residential to RS-12,000 Single-Family Residential is proposed to address both of these concerns.

The area surrounding Lake Burien has been delineated as a moderate density residential area since the incorporation of the City of Burien. With the exception of a brief period in 1997, the zoning designation for the area has been 6-units per acre since 1981 when King County controlled the zoning. Existing density within the area is approximately 3.1 units per acre.

REVIEW OF CRITERIA FOR COMPREHENSIVE PLAN AMENDMENT

Zoning Code section 19.65.095.4 contains the criteria for review of a proposed Comprehensive Plan amendment. To be approved, the proposed amendment **must meet all of the following criteria** (shown in bold italics, followed by Planning Commission response):

A. The request has been filed in a timely manner.

The “Burien Comprehensive Plan Amendment Request” application form requesting a “Map Amendment” to the 2010 Burien Comprehensive Plan was submitted to the City of Burien on: **June 1, 2010** with a City of Burien **mandated** fee of: **\$1,723.63**.

B. There is a public need for the proposed amendment.

Under RCW 36.70A, there is a requirement for consistency throughout the comprehensive plan text and maps as well as protections for Critical Areas. There is a public need for this proposed amendment because the policies stated in the **2009 Burien Comprehensive Plan, 2.2 LAND USE ELEMENT, Residential Neighborhoods, Goal RE.1, Pol. RE 1.5** (page 2-8) do not appear to be consistent with the Comprehensive Plan Land Use Map for the Lake Burien neighborhood. As a result of these inconsistencies, there appears to be a disregard for the protections of Critical Areas as required by RCW 36.70A (The Growth Management Act). The protection of critical areas and the need for lower density land use is recognized in sections **RCW 36.70A.020, 36.70A.060, 36.70A.170, 36.70A.172, 36.70A.175 and 36.70A.480**. The **King County Comprehensive Plan**, which serves to guide County-wide Planning Policies, recognizes the importance of Critical Areas in **Chapter1-Regional Planning and Chapter4-Environment**. The **2009 Burien Comprehensive Plan, 2.2 LAND USE ELEMENT, Natural Environment, Wetlands, Goal EV.6, Pol. EV 6.1** (page 2-33) states: “*The City shall protect its wetlands with an objective of no overall net-loss of functions and values.*”

Also, the **2009 Burien Comprehensive Plan, 2.2 LAND USE ELEMENT, Land Use Conflicts, Pol. PI 1.6** (page 2-39) states: “*If there is a conflict between the comprehensive plan land use map and the land use designation policies, the land use designation policies control.*”

In all of the previously mentioned documents, the requirement of Best Available Science (as previously addressed in Section I) is required when dealing with Critical Areas. In a review of

the Best Available Science for protecting, saving wetlands and other critical areas, the following strategies were cited:

1. limiting uses,
2. avoiding development in some areas,
3. transferring development density to another site, and
4. public protection of the critical area as a valuable site
(MRSC-Best Available Science-Critical Areas, 4/10).

While buffers and mitigation have been strategies used to protect wetlands and critical areas, they have been proven not adequate to prevent “no net loss” to these critical areas (King County website, PSWSMRP, “Wetlands and Urbanization”, Azous and Horner, 1997).

Pollutants reach wetlands mainly through runoff (PSWQA 1986; Stockdale 1991).

Urbanization of wetlands and the watersheds that feed wetlands generate large amount of pollutants such as eroded soils from construction sites, toxic metals and petroleum wastes from roadways and nutrients and bacteria from residential areas. *“At the same time that urbanization produces larger quantities of pollutants, it reduces water infiltration capacity, yielding more surface runoff.”* (Loucks 1989; Canning 1988). Additionally, residential development and the increased human usage of the land results in a significant impact to a critical area wetland and causes net loss. Increased amounts of impervious surface in residential areas on or adjacent to critical areas causes damage to wetlands, aquifer recharge areas and water quality. Therefore, another critical strategy that should be employed in the protection of urbanized critical areas and wetlands is to keep the land use of these areas at low density usage. This concept of low density usage is supported by the **2009 Burien Comprehensive Plan, 2.2 LAND USE ELEMENT, Residential Neighborhoods, Goal RE.1, Pol. RE 1.5, Low Density Neighborhood** (page 2-8) and should be reflected by land use designations at *“4 units per acre or less, due to the constraints posed by critical areas.”*

Additionally, under the Public Trust Doctrine, the water quality and the environmental preservation are considered as valid public trust issue. This is a simple but powerful legal concept that obliges all levels of government to manage natural resources in the best interest of their citizens, without sacrificing the needs of future generations (Science Daily, April 13, 2009). As a legal concept, it is well established in the United States at the state level and in federal agencies. Lake Burien is a critical area that falls under the domain of the Public Trust Doctrine.

The protection of the natural environment, water quality, critical areas and consistency in the comprehensive plan are well documented public needs.

C. The proposed amendment is the best means for meeting the identified public need.

The proposed amendment is the best means for meeting this identified public need of creating consistency throughout the comprehensive plan and maps and for protection of critical areas because land use is controlled by policy and map designation in the Comprehensive Plan. This is the only legal mechanism for creating plan consistency and for maintaining a low density residential development in a critical area such as Lake Burien.

D. The proposed amendment is consistent with the overall intent of the goals and policies of the Burien Comprehensive Plan, Growth Management Act and Countywide Planning Policies.

The proposed amendment is in agreement with the Burien Comprehensive Plan, Chapter 2:

A) 2.2 LAND USE ELEMENT:

- 1) Residential Neighborhoods, Goal RE.1, Pol. RE 1.5, Pol. RE 1.6
- 2) Natural Environment, Goal EV.1, Pol. EV 1.2, EV 1.8, Goal EV. 2, Goal EV.4, Goal EV.5, Goal EV.6, Pol. EV 6.1
- 3) Land Use Plan Implementation, Goal PI.1, Pol. PI 1.1, Pol. PI 1.2, Pol 1.5
- 4) Land Use Conflicts, Pol. PI 1.6
- 5) Phasing Uses and Densities, Goal PH.1, Pol. PH 1.1

B) 2.8 STORM WATER ELEMENT:

- 1) Protecting Water Quality, Goal ST.1, Pol. ST 1.10

The proposed amendment is in agreement with the Growth Management Act/RCW 36.70A:

- 1) Planning goals, 36.70A.020
- 2) Definitions, 36.70A.030
- 3) Natural resources and critical areas, 36.70A.060
- 4) Comprehensive plans-Mandatory elements, 36.70A.070
- 5) Natural resource lands and critical areas, 36.70A.170
- 6) Critical areas-Designation and protection-Best available science to be used, 36.70A.172
- 7) Wetlands to be delineated in accordance with manual, 36.70A.175
- 8) Shorelines of the state, 36.70A.480

The proposed amendment is in agreement with King County Countywide Planning Policies:

- 1) Chapter 1-Regional Planning
- 2) Chapter 4-Environment

E. The proposed amendment will result in a net benefit to the community.

The proposed amendment will result in a net benefit to the community by having a Comprehensive Plan that is internally consistent in both text and maps. The **2009 Burien Comprehensive Plan, 2.2 LAND USE ELEMENT, Land Use Plan Implementation, Goal PI.1, Pol. PI 1.1** (page 2-37) states: *“The Comprehensive Plan, development regulations, function plans and budgets should be mutually consistent and reinforce each other.”*

Goal PI.1, Pol. PI 1.2 (page 2-37) states: *“The City’s development regulations should be consistent with other City plans and activities, including other development requirements. Development regulations shall be clearly written and absent of duplicative, uncoordinated or unclear requirements.”*

Burien citizens and City staff who use the Burien Comprehensive Plan will not be confused by internal inconsistencies. Other city plans, development regulations, functional plans and budgets will also be consistent. In addition, the protection of the water quality, natural environment and critical areas in this part of the city will benefit the whole community.

F. The revised Comprehensive Plan will be internally consistent.

The revised Comprehensive Plan will be internally consistent because it appears to be inconsistent without this change. It will also be in compliance with the Washington State Growth Management Act (**RCW 36.70A.070 Comprehensive plans – Mandatory elements**) which mandates that a Comprehensive Plan “...shall be an internally consistent document and all elements shall be consistent with the future land use map.”

G. The capability of the land can support the projected land use.

Best Available Science suggests that the carrying capacity of the properties around Lake Burien would not be negatively impacted if the properties are designated as “*Low Density Residential Neighborhood*”. This amendment reduces the current proposed density and land use designation demands on a critical area – Lake Burien.

H. Adequate public facility capacity to support the projected land use exists, or, can be provided by the property owner(s) requesting the amendment, or, can be cost-effectively provided by the City or other public agency.

RCW 36.70A.030 Definitions (12) states: “‘*Public facilities*’ include streets, roads, highways, sidewalks, street and road lighting systems, traffic signals, domestic water systems, storm and sanitary sewer systems, parks and recreational facilities, and schools.” This public facility capacity and infrastructure already exist to support the projected land use of “*Low Density Residential Neighborhood*”. The city has the resources to make the required change to the maps, mailings to impacted residents and staff time involved in the cost of implementing this amendment. The city also has mechanisms in place to do these clerical items in a cost effective manner.

I. The proposed amendment will be compatible with nearby uses.

The proposed amendment will be compatible with nearby uses which are mainly residential. The amendment will simply reduce density in an already residential neighborhood. The area to be changed on the map is currently adjacent to properties already classified as a “*Low Density Residential Neighborhood*”. The amendment will simply resolve an internal inconsistency on a map for a residential neighborhood that is currently classifiable as a “*Low Density Residential Neighborhood*” by 2009 Comprehensive Plan policy text.

J. The proposed amendment would not result in the loss of capacity to meet other needed land uses, such as housing.

The **2009 Burien Comprehensive Plan, 2.2 LAND USE ELEMENT, Phasing of Uses and Densities, Goal PH.1, Pol. PH 1.1**, (page 2-25) states: “*Where appropriate, the City will encourage and support the use by individual property owners of alternatives to development. Such alternatives may include transfer of development rights (“TDR”) to the downtown and other appropriate areas, conservation easements, open space tracts, and other mechanisms designed to permanently eliminate development.*”

The proposed amendment has the potential for no net loss of housing capacity by employing the transfer of development rights and promoting density in the downtown core which is in accordance with Burien's vision or by using the TDR to an already, high density area of the newly annexed area of Burien. If no alternatives were available such as the TDR, then this amendment change would generate a 2% loss in residential lots according to the King County Comprehensive Plan 2020 goal. The projection map (Attachment E) was prepared by the city in 1999 prior to the Land Use Map Designation change for Lake Burien Neighborhood. At that point in time, it was projected that the Lake Burien area could increase by 53 new lots (66%). Since that time, there have been a few sub-divisions of property and some short plats created. So, the current number of new lots that could be put on the lake is 40+. However since that document was prepared, the city has expanded the possible new housing units in the city by creating the downtown core area. In the downtown core, buildings can be up to seven stories in height. The zoning that resulted from the creation of the Town Square Complex and similar future projects in that area could replace the target number lost around the lake. Simply stated, between the downtown area and the newly annexed, high density use areas, it will be fairly simple to accommodate 40+ housing units by 2020.

Additionally, as suggested in the Comprehensive Plan of 1997, there should be a phase-in period for any owners around Lake Burien who might claim economic loss as a result of being density land use change. The 1997 Comprehensive Plan allowed a one and a half year period before the total plan was put in place. This is allowed by the **2009 Burien Comprehensive Plan, 2.2 LAND USE ELEMENT, Phasing of Use and Densities, Goal PH.1** (page 2-25) which can be used "*To allow for the orderly phasing of current uses and densities to desired future uses and densities.*" A similar phasing period for this amendment change to the 2009 Comprehensive Plan Land Use would help any Lake Burien property owner, who might claim significant economic hardship or loss resulting from the Land Use Map change.

K. For a Comprehensive Plan map change, the applicable designation criteria are met and either of the following is met:

- i. Conditions have so markedly changed since the property was given its present Comprehensive Plan designation that the current designation is no longer appropriate; or,***
- ii. The map change will correct a Comprehensive Plan designation that was inappropriate when established.***

Since this is a 2009 Comprehensive Plan map change, the applicable designation criteria are met because a map change will correct an inconsistency between the 2009 Comprehensive Plan policy text and 2009 Comprehensive Plan maps. The 2010 Burien Comprehensive Plan will also be in compliance with the Washington State Growth Management Act (**RCW 36.70A.070 Comprehensive plans – Mandatory elements**) which mandates that a Comprehensive Plan "*...shall be an internally consistent document and all elements shall be consistent with the future land use map.*"

REVIEW OF CRITERIA FOR REZONE

Zoning Code section 19.65.090.3 contains the criteria for review of a proposed rezone. To be approved, the proposed amendment **must meet all of the following criteria** (shown in bold italics, followed by Planning Commission response):

A. The rezone is consistent with the Comprehensive Plan.

The amendment that is being proposed will make the 2010 Burien Comprehensive Plan Land Use Map consistent with the text of its policies.

B. The rezone bears a substantial relation to the public health, safety or welfare.

This amendment seeks to protect critical areas that involve water quality. The protection of water quality is of the utmost importance to public health and safety and is required by RCW 36.70A.

C. The rezone will not be materially detrimental to uses or property in the immediate vicinity of the property.

There is no evidence to support that a rezone would be materially detrimental to uses in the immediate vicinity of the subject area.

D. The rezone has merit and value for the community as a whole.

The protection of water quality is of value to the current community and future generations. Lake Burien is a critical area that justifies protection under the Public Trust Doctrine. Its importance as a critical area warrants a zoning map change and other related documents change to be consistent with the Burien Comprehensive Plan Land Use designation of “*Low Density Residential Neighborhood*”.

The **2009 Burien Comprehensive Plan, 2.2 LAND USE ELEMENT, Land Use Implementation, Goal PI.1**, (page 2-37), states: “*Implement the goals and policies of the land use plan through a variety of means and mechanisms which are coordinated and consistent.*” The **2009 Burien Comprehensive Plan, 2.2 LAND USE ELEMENT, Land Use Implementation, Goal PI.1, Pol. PI 1.1.**, (page 2-37), states: “*The Comprehensive Plan, development regulations, functional plans and budgets should be mutually consistent and reinforce each other.*”

Therefore, if the Comprehensive Plan Land Use Map is amended; then the other city documents such as the Zoning Map and supporting text requirements and regulations regarding land use development, redevelopment and zoning will also need to be amended to be consistent with the 2010 Comprehensive Plan for the area of Lake Burien.

City of Burien

BURIEN PLANNING COMMISSION
REGULAR MEETING
September 28, 2010
7:00 p.m.
Multipurpose Room/Council Chambers
MINUTES

To hear the Planning Commission'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*
- *Check out a DVD of the Council Meeting from the Burien Library*
- *Order a DVD of the meeting from the City Clerk, (206) 241-4647*

CALL TO ORDER

Chair Joe Fitzgibbon called the September 28, 2010, meeting of the Burien Planning Commission to order at 7 p.m.

ROLL CALL

Present: Joe Fitzgibbon, chair; Jim Clingan, Ray Helms, Nancy Tosta, John Upthegrove

Absent: Greg Duff, Rachel Pizzaro

Administrative staff present: Chip Davis and Stephanie Jewett, planners

AGENDA CONFIRMATION

Direction/Action

Motion was made by Commissioner Clingan, seconded by Commissioner Tosta, and passed unanimously to approve the agenda for the September 28, 2010, meeting.

PUBLIC COMMENT

Sandy Gledhill-Young, 1936 SW 168th St., Burien

Ms. Gledhill-Young, noting that she was representing five generations of her family, asked the commissioners to grant the Lake Burien applicants' Comprehensive Plan amendment.

Commissioner Pizzaro arrived at 7:03 p.m.

Chestine Edgar, 1811 SW 152nd Street, Burien

Ms. Edgar instructed the commissioners to decide whether the Lake Burien neighborhood best meets the criteria for the low density Comprehensive Plan designation or the moderate density designation.

Bob Edgar, 12674 Shorewood Dr. SW, Burien

Mr. Edgar stated that the City had three and a half months to prepare its staff report on his proposed Comprehensive Plan amendment but he received the staff report the Friday before the meeting and only had three and a half days to prepare a response.

Robert Howell, 15240 20th Ave SW, Burien

Mr. Howell stated that waterfront property should be viewed differently from other properties and the density of surrounding areas should not be considered when determining the density of the neighborhood surrounding Lake Burien.

Greg Anderson, 15451 11th Ave SW, Burien

Mr. Anderson said the City's Critical Areas Map shows the locations of potential critical areas, but the actual presence or absence of a critical area supersedes the map.

APPROVAL OF MINUTES

June 8, 2010

Direction/Action

Motion was made by Commissioner Clingan and passed unanimously to approve the June 8, 2010, meeting minutes.

OLD BUSINESS

2010 Proposed Comprehensive Plan Amendments, Introduction and Discussion

Chip Davis introduced the two proposed Comprehensive Plan amendments on the 2010:

- Proposed Comprehensive Plan Amendment #2010-1 Northeast Redevelopment Area (NERA), to repeal all or part of "Property Acquisition Areas" (Goal PA-1 and Policies Pa1.1-PA 1.9) on pages 2-36 and 2-37
- Proposed Comprehensive Plan Amendment #2010-2 Chestine and Robert Edgar for Lake Burien Neighborhood, Comprehensive Plan map amendment and rezone request.

Follow-up

The commission will conduct a public hearing on the proposed amendments at its October 26th meeting.

12TH

NEW BUSINESS

Election of Chair and Vice-chair

Commissioner Upthegrove nominated Commissioner Clingan for chair; Commissioner Fitzgibbon seconded. Commissioner Clingan was elected chair by unanimous vote.

Commissioner Upthegrove nominated Commissioner Tosta for vice-chair; Commissioner Clingan seconded. Commissioner Tosta was elected vice chair by unanimous vote.

PLANNING COMMISSION COMMUNICATIONS

Commissioner Upthegrove thanked Commissioner Fitzgibbon for his service as chair of the commission over the past year.

Commissioner Tosta asked if there is a specific avenue for discussing the fees charged to people interacting with the City.

DIRECTOR'S REPORT

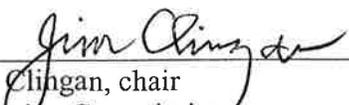
None.

ADJOURNMENT

Direction/Action

MOTION to adjourn the meeting was made by Commissioner Pizarro. Meeting adjourned at 8:34 p.m.

APPROVED: Oct. 13, 2010



Jim Clingan, chair
Planning Commission

City of Burien

BURIEN PLANNING COMMISSION
REGULAR MEETING
October 12, 2010
7:00 p.m.
Multipurpose Room/Council Chambers
MINUTES

To hear the Planning Commission'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
- Check out a DVD of the Council Meeting from the Burien Library
- Order a DVD of the meeting from the City Clerk, (206) 241-4647

CALL TO ORDER

Chair Jim Clingan called the October 12, 2010, meeting of the Burien Planning Commission to order at 7:00 p.m.

ROLL CALL

Present: Jim Clingan, chair; Greg Duff, Ray Helms, Rachel Pizzaro, Nancy Tosta, John Upthegrove

Absent: Joe Fitzgibbon

Administrative staff present: Chip Davis, planner, and David Johanson, senior planner

AGENDA CONFIRMATION

Direction/Action

Motion was made by Commissioner Tosta, seconded by Commissioner Pizarro, and passed unanimously to approve the agenda for the October 12, 2010, meeting.

PUBLIC COMMENT

None.

APPROVAL OF MINUTES

September 28, 2010

It was noted that the draft minutes incorrectly state the public hearing on proposed Comprehensive Plan amendments would be on October 26, 2010. The draft minutes were amended.

Direction/Action

Motion was made by Commissioner Tosta, seconded by Commissioner Helms and passed unanimously to approve the September 28, 2010, meeting minutes as amended.

PUBLIC HEARING

Chair Clingan opened the hearing at 7:14 p.m. Testimony was received first on proposed Comprehensive Plan amendment 2010-1, Northeast Redevelopment Area.

Chestine Edgar, 1811 SW 152nd Street, Burien

Ms. Edgar voiced her opposition to the proposed amendment, stating that it would give the Port of Seattle carte blanche to do whatever it wants to in Northeast Burien without any oversight by the City.

Don Warren, 15702 13th Ave SW, Burien

Mr. Warren said he hasn't heard much about this proposed amendment and therefore has had little time to study it. He told the commissioners he hoped they would wait to make any decision on it until he has had time to determine if staff's assessment of the proposed amendment is accurate.

Chair Clingan then said testimony would be accepted on proposed Comprehensive Plan amendment 2010-2, Lake Burien Neighborhood Comprehensive Plan map amendment and rezone.

Chestine Edgar, 1811 SW 152nd Street, Burien

Ms. Edgar demonstrated her understanding of determining housing density per acre using two 9 x 13 cakes. She said staff is wrong in its calculation of the density of the land surrounding Lake Burien.

Robert Howell, 15240 20th Ave SW, Burien

Mr. Howell said the density of housing around the lake is less than 3 units per acre, using the net site density method found in the 2005 Burien Comprehensive Plan.

Bob Edgar, 12674 Shorewood Dr. SW, Burien

Mr. Edgar said there is a conflict between the Comprehensive Plan policies and the Comprehensive Plan map and the Growth Management Act requires that the map must match the Comprehensive Plan policies, with the policies taking precedence.

Sandy Gledhill-Young, 1936 SW 168th St., Burien

Ms. Gledhill-Young said the Lake Burien area always has been low density in character and has a significant amount of critical areas, therefore the neighborhood should be designated low density to protect the lake.

John Ball, 1602 SW 156th St., Burien

Mr. Ball said an error was made in 1999 when the Comprehensive Plan was amended and asked the Planning Commission to designate the Lake Burien area low-density residential.

Bob King, 1626 SW 152nd St., Burien

Mr. King said it appears there is an inconsistency between the Comprehensive Plan and the Comprehensive Plan map with regard to the Lake Burien area. He requested the area be designated low-density residential.

Kathi Skarbo, 1621 SW 152nd St., Burien

Ms. Skarbo handed out presented the Planning Commission with 132 signatures on petitions from Lake Burien residents requesting the City change the Lake Burien area land use designation to low-density residential. She outlined four options she said the commissioners have before them, three of which include changing the designation and the fourth to agree with the staff recommendation.

Don Warren, 15702 13th Ave SW, Burien

Mr. Warren said the Lake Burien area currently is built at low density and is a critical area and therefore should be designated low density in order to protect the water quality of the lake. He said the lake needs every legal protection that can be put upon it.

Burrita Perry, 15407 11th Ave SW

Mrs. Perry said she and her family consider the Lake Burien area to be low density. She said that although the Comprehensive Plan calls for neighborhoods to have a plan, the City of Burien has not allowed it because of the disorganized formal planning. She said the City has never tried to find out the character of the Lake Burien area, which became obvious to her during the Shoreline Master Program process. She asked that the Lake Burien area be designated low density.

Robbie Howell, 15240 20th Ave SW, Burien

Mrs. Howell said the City has not treated Lake Burien as a critical area in city planning and has not used "Best Available Science" to develop protections for the lake. She asked the commissioners to designate the Lake Burien area low-density residential.

Tanya Engeset, 1449 SW 152nd St., Burien

Ms. Engeset said the net benefit to the community that would result from approval of the proposed Comprehensive Plan amendment is protection of water quality, which is important to her because she

regularly swims in the lake. She said the Lake Burien area should be designated low density. She gave the commissioners copies of articles from the B-Town Blog about the toxic algae bloom the lake currently is experiencing.

Suzanne Konecny, 15732 14th Pl. SW, Burien

Mrs. Konecny said she opposes the proposed Lake Burien Comprehensive Plan amendment because it would limit people's options during the current economic crisis.

Linda Plein, 1600 SW 156th St., Burien

Ms. Plein suggested that the properties touching the water could be designated 12,000 and the upper lands could stay at 7,200. She said designating the area touching the water as low density would give the wildlife a place to go.

Len Boscarine, 1600 SW 156th St., Burien

Mr. Boscarine said he doesn't understand staff's reluctance to fix the inconsistency between the Comprehensive Plan and the Comprehensive Plan map if it is out of compliance.

There being no other testimony, Chair Clingan closed the public hearing at 7:48 p.m.

OLD BUSINESS

2010 Proposed Comprehensive Plan Amendments, Discussion and Possible Recommendation

Chip Davis provided additional information about the proposed Lake Burien amendment as requested by commissioners at the September 28th meeting. First, he said he has found no Comprehensive Plan policy requirements that critical areas be designated low-density residential areas. He said critical areas are, in fact, found in both low-density and moderate-density neighborhoods and gave several examples throughout the city. Secondly, using a series of illustrations, Mr. Davis explained the process the City used to calculate the buildable lands around Lake Burien.

The commissioners discussed the proposed Lake Burien amendment and asked for additional information from staff and people who testified in the hearing.

Follow-up

The commission will continue its discussion, and possibly make its recommendation, at the October 26, 2010, meeting.

NEW BUSINESS

None.

PLANNING COMMISSION COMMUNICATIONS

None.

DIRECTOR'S REPORT

Mr. Johanson noted that there will be a groundbreaking ceremony for the Transit Center parking garage at 10 a.m. on Saturday, Oct. 23rd.

ADJOURNMENT

Direction/Action

MOTION to adjourn the meeting was made by Commissioner Pizarro; second by Commissioner Duff. Motion carried unanimously. Meeting adjourned at 8:47 p.m.

APPROVED: Nov. 9, 2010



Jim Clingan, chair
Planning Commission

City of Burien

BURIEN PLANNING COMMISSION
REGULAR MEETING
October 26, 2010
7:00 p.m.
Multipurpose Room/Council Chambers
MINUTES

To hear the Planning Commission'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
- Check out a DVD of the Council Meeting from the Burien Library
- Order a DVD of the meeting from the City Clerk, (206) 241-4647

CALL TO ORDER

Chair Jim Clingan called the October 26, 2010, meeting of the Burien Planning Commission to order at 7 p.m.

ROLL CALL

Present: Jim Clingan, chair; Greg Duff, Joe Fitzgibbon, Ray Helms, Nancy Tosta, John Upthegrove

Absent: Rachel Pizzaro

Administrative staff present: Chip Davis, planner, and Scott Greenberg, Community Development Department director

AGENDA CONFIRMATION

Direction/Action

Motion was made by Commissioner Tosta, seconded by Commissioner Fitzgibbon, and passed unanimously to approve the agenda for the October 26, 2010, meeting.

PUBLIC COMMENT

Chestine Edgar, 1811 SW 152nd Street

Mrs. Edgar said she spoke with staff from the Puget Sound Regional Council, King County and other cities and said they told her that they would calculate current density in a different manner than that used by the City of Burien. She said the City of Burien has a large excess of projected housing units to meeting its Growth Management Act requirements. She asked the commissioners to change the designation of the Lake Burien area to low-density residential.

Rob Howell, 15240 20th Ave SW

Mr. Howell said staff from the Puget Sound Regional Council did not recognize the methodology used by the City of Burien to calculate the current density around Lake Burien. He said he hoped Council would ask City of Burien staff for the regulations authorizing the method it is using.

Bob Edgar, 12674 Shorewood Dr SW

Mr. Edgar said the City of Burien is able to meet its Growth Management Act (GMA) targets without allowing more development in the Lake Burien area. He said the Puget Sound Regional Council does not have a specific model for cities to use to predict future capacity. Mr. Edgar said the City must be confident about meeting GMA targets if it is planning to build a movie theater in Town Square instead of the 124 housing units that were planned there. He said bringing up the GMA targets in the discussion about changing the Lake Burien area designation is just a diversion.

Sandy Gledhill-Young, 1936 SW 168th St.

Mrs. Gledhill-Young asked that city staff be required to show every step of its work in calculating Lake Burien area density. She also asked for the source of the maps and model the City is using. Mrs. Gledhill-Young requested the commissioners direct staff to provide any information requested related to the proposed Comprehensive Plan amendment in a timely manner and with a good attitude, stating that staff works for the citizens of the City. She also asked that a planning commissioner direct staff to show justification as to why a number of residential units planned for Town Square are being replaced by a movie theater complex. She asked that the designation of the Lake Burien area be changed to low-density residential and said she doesn't understand why City staff is refusing to acknowledge an error occurred when the lake area was designated as moderate density.

Nona Deyman, 1817 SW 152nd St.

Mrs. Deyman asked the commissioners to change the designation of the Lake Burien area to low-density residential and submitted 20 signatures on a petition requesting the same.

John Poitras, 1248 SW 149th St.

Mr. Poitras said City staff is not being cooperative. He said the commissioners should listen to the residents of Lake Burien, since they live there and know the lake is a critical area, and designate the area low-density residential.

Mary Oemcke, 1603 SW 152nd St.

Ms. Oemcke asked that the Lake Burien area be designated low-density residential because it meets the criteria stated in the Comprehensive Plan. She noted there currently is a toxic algae bloom in the lake and said designating the lake area low-density is necessary to reduce further such incidents.

Linda Boscarine, 1600 SW 156th St.

Mrs. Boscarine said the lake is a critical area and significantly increasing the number of houses around it would damage water quality. She asked that the area surrounding the lake be designated low-density residential, adding that she finds it alarming that the City is saying the lake does not need the protection of the low-density designation.

Kathi Skarbo, 1621 SW 152nd St.

Ms. Skarbo said 27 of the 72 lots abutting the water of the lake have structures within the nonbuildable buffer area, making them nonconforming, but during the Shoreline Master Program process the lakeshore owners were told nonconformance is not an issue. She said the City can't have it both ways. She asked the commissioners to direct staff to explain its definition of "significant amounts" of critical areas as referenced in the land use designation criteria in the Comprehensive Plan and why that criteria doesn't apply to Lake Burien. Ms. Skarbo then compared the two proposed Comprehensive Plan amendments on the docket, asking why the NERA amendment is a "housekeeping" item and the Lake Burien one isn't. She said she learned from her experience with the Shoreline Master Program that it is hard for the City to admit a mistake; the City only admits to a mistake only when it is brought to its attention by someone more powerful than a citizen. She urged the Planning Commission to direct staff to acknowledge the inconsistency between the Comprehensive Plan and the plan map and recommend to the city council that the map be changed.

Tanya Engeset, 1449 SW 152nd St.

Referring to the recent toxic algae bloom in the lake, Ms. Engeset said adding more houses around the lake only will make the situation worse. She asked that the designation be changed to low-density.

APPROVAL OF MINUTES

None.

OLD BUSINESS

2010 Proposed Comprehensive Plan Amendments, Discussion and Possible Recommendation

Chip Davis summarized the additional information being provided to the commissioners at the meeting.

Commissioner Upthegrove moved, as read on his behalf by Commissioner Tosta, that the Planning Commission recommend to the City Council that the staff recommendation on item 2010-2 be modified to reflect that there is an inconsistency between the language in the Comprehensive Plan and the Zoning Map because the Zoning Map shows the property surrounding Lake Burien as moderate density; however, the language in the Comprehensive Plan item 3 page 2-9 states in order to be moderate density the "area does not have significant amounts of critical areas." For this reason the Planning Commission recommends that the property surrounding Lake Burien be designated low-density on the Zoning Map. Any decision regarding a zoning change should be postponed until the City Council has the opportunity to determine if there is an inconsistency. Commissioner Tosta seconded the motion. **Motion** failed 2-4. Opposed: Commissioners Clingan, Duff, Fitzgibbon and Helms.

Commissioner Fitzgibbon moved that the Planning Commission recommend to the City Council approval of Comprehensive Plan Reference No. 2010-1 as set forth in Attachment A of the staff recommendation report. Commissioner Helms seconded. **Motion** carried 5-1. Opposed: Commissioner Upthegrove.

Follow-up

For Comprehensive Plan Reference No. 2010-2, staff was directed to prepare a map and recommendation including only those properties abutting Lake Burien. The commission will continue its discussion, and possibly make its recommendation, at the November 9, 2010, meeting.

NEW BUSINESS

Planner Stephanie Jewett introduced a request by the El Dorado West Retirement Community for a rezone from Residential Multifamily 12 units per acre (RM-12) to Residential Multifamily 24 units per acre (RM-24).

Follow-up

A public hearing on the rezone request is scheduled for the November 9, 2010, Planning Commission meeting.

PLANNING COMMISSION COMMUNICATIONS

Commissioner Tosta said she will not be at the November 9, 2010, meeting of the Planning Commission.

DIRECTOR'S REPORT

None.

ADJOURNMENT

Direction/Action

MOTION was made by Commissioner Fitzgibbon, seconded by Commissioner Helms, and passed unanimously to adjourn the meeting at 9:10 p.m.

APPROVED: Nov. 9, 2010



Jim Clingan, chair
Planning Commission

City of Burien

BURIEN PLANNING COMMISSION
REGULAR MEETING
November 9, 2010
7:00 p.m.
Multipurpose Room/Council Chambers
MINUTES

To hear the Planning Commission'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
- Check out a DVD of the Council Meeting from the Burien Library
- Order a DVD of the meeting from the City Clerk, (206) 241-4647

CALL TO ORDER

Chair Jim Clingan called the November 9, 2010, meeting of the Burien Planning Commission to order at 7 p.m.

ROLL CALL

Present: Jim Clingan, chair; Greg Duff, Joe Fitzgibbon, Ray Helms, Rachel Pizzaro, John Upthegrove

Absent: Nancy Tosta

Administrative staff present: Chip Davis, planner; Stephanie Jewett, planner, and Scott Greenberg, Community Development Department director

AGENDA CONFIRMATION

Direction/Action

Motion was made by Commissioner Duff, seconded by Commissioner Upthegrove, and passed unanimously to approve the agenda for the November 9, 2010, meeting.

PUBLIC COMMENT

Sandy Gledhill-Young, 1936 SW 168th St.

Ms. Gledhill-Young asked that a planning commissioner direct staff to change the designation of the Lake Burien area on the Comprehensive Plan map from moderate density to low density.

Donna Smith, 1201 SW 152nd St.

Ms. Smith told the commissioners that as representatives of the citizens they should have the Comprehensive Plan map changed to show the Lake Burien area as low density.

Debi Wagner, 1520 SW 158th St.

Ms. Wagner said that because the Lake Burien area is designated as "suburban" on a map referred to as the LU-2 map, it should be designated low density.

Robert Howell, 15240 20th Ave SW

Mr. Howell indicated that after asking a wetland scientist for the environmentally sensible way to draw the boundaries of the Lake Burien neighborhood, the residents are asking that the Planning Commission retain the boundaries as submitted in the Comprehensive Plan amendment application.

Robbie Howell, 15240 20th Ave SW

Ms. Howell said the City is ignoring the will of the Lake Burien residents by designating the Lake Burien area as moderate density, adding that it is disrespectful of the residents' property rights.

Tanya Engeset, 1449 SW 152nd St.

Ms. Engeset said the lake's toxic algae bloom is caused by stormwater draining into the lake. She said clean water in the lake is a public health and safety issue as well as an individual and property rights issue.

Mary Oemcke, 1603 SW 152nd St.

Ms. Oemcke asked the commission to direct staff to prepare a Planning Commission recommendation report stating there is an inconsistency between the Comprehensive Plan text and map that can be remedied by changing the land use designation to low density and rezoning the affected properties accordingly. She also said any properties that would become nonconforming in impervious surface coverage should be grandfathered in as conforming.

Chestine Edgar, 1811 SW 152nd St.

Ms. Edgar said any properties that would become nonconforming as a result of the rezone should be grandfathered in. She added that property rights are not part of the criteria and should not be considered in making this decision.

Don Warren, 15702 13th Ave SW

Mr. Warren said the majority of the Lake Burien property owners want the low-density designation. He wants to be sure the commission's decision is based on facts.

Bob Edgar, 12674 Shorewood Dr SW

Mr. Edgar said the commissioners should not consider the rights of hypothetical future property owners or developers over the rights of the current property owners. He said the Planning Commission must listen to the request of the current owners to protect their property rights by designating the area low-density residential.

Kathi Skarbo, 1621 SW 152nd St.

Ms. Skarbo questioned staff's definition of "significant amount" of critical areas. She said she believes "significant amount" means anything worth protecting. She said staff's position on the proposed Comprehensive Plan amendment is hypocritical when it comes to critical areas.

Linda Plein, 1600 SW 156th St.

Ms. Plein said she feels the Lake Burien area is being held to a standard that no other applicant has ever been required to meet. She said the Planning Commission is to deal with requests in the present, not looking into the future.

Greg Anderson, 15451 11th Ave SW

Mr. Anderson said he is in favor of the protecting the lake, citing the buffers and setbacks in the newly adopted Shoreline Master Program and a new drainage ordinance. He said city records show the existing zoning has been in place at least 29 years.

APPROVAL OF MINUTES

MOTION by Commissioner Helms to approve the minutes of October 12 and 26; second by Commissioner Duff. Motion carried 5-0.

PUBLIC HEARING

Chair Clingan opened the hearing on the El Dorado West Retirement Community rezone request at 7:47 p.m.

Dave Baus, representative of the owner of El Dorado West Retirement Community, explained why a rezone is being requested. He said significant accessibility upgrades are needed. The requested rezone

would allow the building to be rebuilt in two phases and be fully accessible to its residents with disabilities.

There being no further testimony, Chair Clingan closed the hearing at 7:50 p.m.

OLD BUSINESS

El Dorado West Retirement Community Rezone Request

Planner Stephanie Jewett asked the commissioner a series of questions to determine if any of them have a vested interest in the property. Commissioner Pizarro noted that her mother is a resident in the assisted living portion at El Dorado West and that she has had ex-parte communication with the director of the facility. There were no challenges to Commissioner Pizarro's ability to be fair and impartial.

MOTION by Commissioner Pizarro to recommend to the City Council approval of the El Dorado West rezone request reference number PLA 10-0780 and adopt the findings and conclusions of the staff recommendation as presented; second by Commissioner Helms. Motion carried 5-0.

2010 Proposed Comprehensive Plan Amendments, Discussion and Possible Recommendation

E-mailed comments from Commissioner Tosta, who was unable to attend the meeting, were distributed to the commissioners.

Follow-up

Staff will prepare a Planning Commission recommendation for approval of the proposed Comprehensive Plan amendment based on the applicants' information and Commissioner Tosta's e-mailed comments for consideration by the commissioners their next meeting. The commissioners agreed to meet on Nov. 16th; no public comment will be taken at the meeting.

NEW BUSINESS

Commissioner Helms expressed concern about the amount of paper used in preparing packets, some of which is repeated from previous packets.

Follow-up

Staff will look into clarifying for the commissioners what is new in their packet and what is included because they need to have it in front of them.

PLANNING COMMISSION COMMUNICATIONS

None.

DIRECTOR'S REPORT

Mr. Greenberg encouraged the commissioners to take a look at their copies of *Planning Commissioners Journal*.

ADJOURNMENT

Direction/Action

MOTION to adjourn was made by Commissioner Duff. Meeting adjourned at 8:46 p.m.

APPROVED: _____

Jim Clingan, chair
Planning Commission

City of Burien

BURIEN PLANNING COMMISSION
SPECIAL MEETING
November 16, 2010
7:00 p.m.
Multipurpose Room/Council Chambers
MINUTES

To hear the Planning Commission'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
- Check out a DVD of the Council Meeting from the Burien Library
- Order a DVD of the meeting from the City Clerk, (206) 241-4647

CALL TO ORDER

Chair Jim Clingan called the November 16, 2010, meeting of the Burien Planning Commission to order at 7:05 p.m.

ROLL CALL

Present: Jim Clingan, chair; Greg Duff, Joe Fitzgibbon, Ray Helms, Rachel Pizzaro, Nancy Tosta, John Upthegrove

Absent:

Administrative staff present: Chip Davis, planner, and Scott Greenberg, Community Development Department director

AGENDA CONFIRMATION

Direction/Action

Motion was made by Commissioner Tosta, seconded by Commissioner Upthegrove, and passed unanimously to approve the agenda for the November 16, 2010, meeting.

PUBLIC COMMENT

No public comment was accepted at this meeting.

OLD BUSINESS

2010 Proposed Comprehensive Plan Amendments, Discussion and Possible Recommendation

One of the applicants, Chestine Edgar, spoke about her proposed Comprehensive Plan amendment and used jars of water and toxic algae from Lake Burien to illustrate the condition of the lake right now.

Direction/Action

Motion that the Planning Commission recommend to the City Council approval of the redesignation request for the Lake Burien Neighborhood from moderate-density residential to low-density residential and adopt the findings and conclusions as presented in attachment C was made by Commissioner Upthegrove, as read on his behalf by Commissioner Tosta. Commissioner Tosta seconded the motion. Motion tied 3-3, commissioners Pizarro, Tosta and Upthegrove voting in favor, and commissioners Clingan, Duff and Helms voting against.

Motion that the Planning Commission recommend to the City Council approval of the rezone request for the Lake Burien Neighborhood from RS-7,200 to RS-12,000 and adopt the findings and conclusions are presented in attachment C was made by Commissioner Tosta; second by Commissioner Pizarro. Motion

tied 3-3, commissioners Pizarro, Tosta and Upthegrove voting in favor, and commissioners Clingan, Duff and Helms voting against.

Follow-up

No recommendation from the Planning Commission will be forwarded to the City Council.

NEW BUSINESS

None.

PLANNING COMMISSION COMMUNICATIONS

None.

DIRECTOR'S REPORT

None.

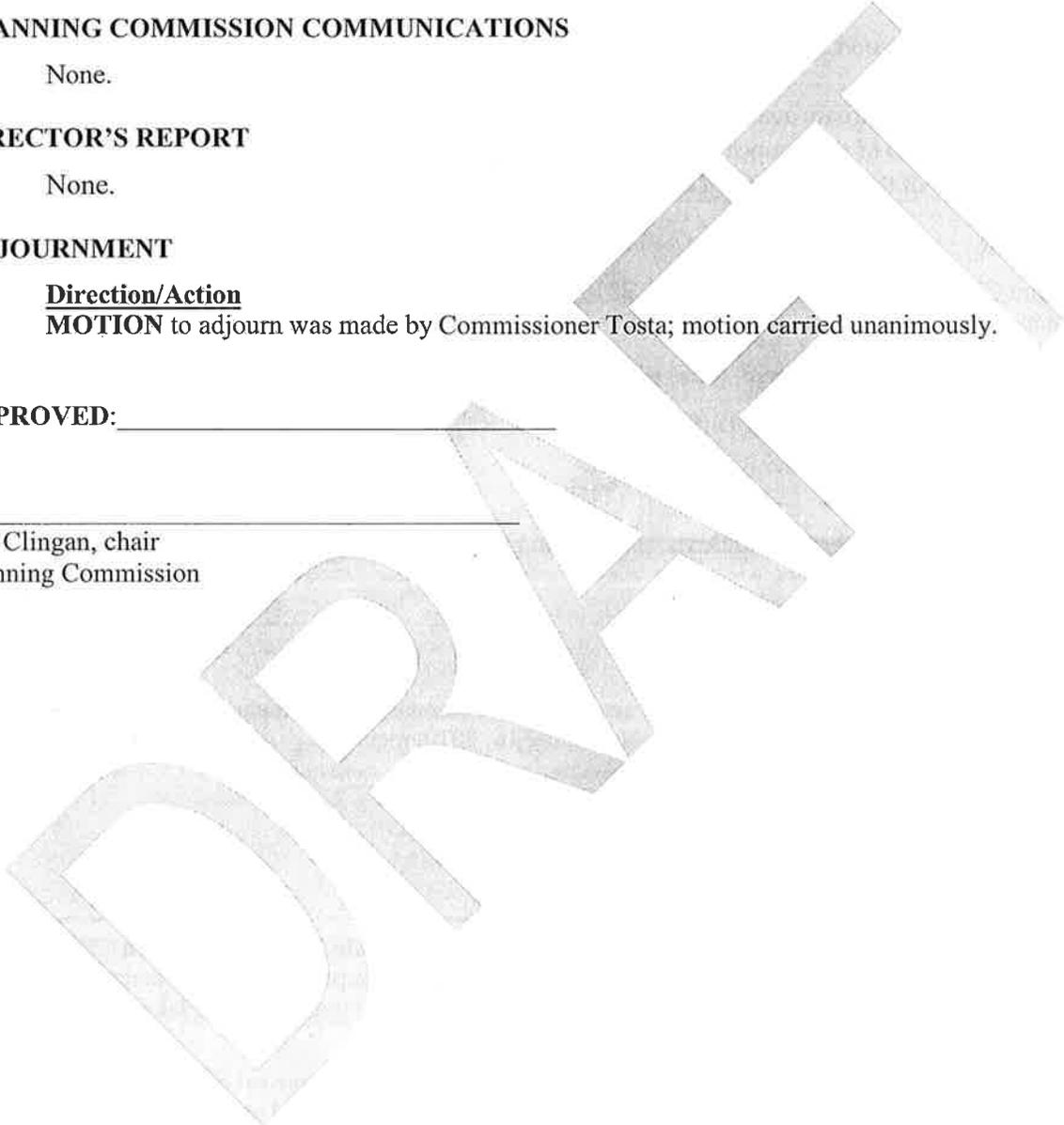
ADJOURNMENT

Direction/Action

MOTION to adjourn was made by Commissioner Tosta; motion carried unanimously.

APPROVED: _____

Jim Clingan, chair
Planning Commission





Burien

Washington, USA

400 SW 152nd St., Suite 300, Burien, WA 98166

Phone: (206) 241-4647 • FAX (206) 248-5539

www.burienwa.gov

MEMORANDUM

TO: Honorable Mayor and Members of the City Council
FROM: Mike Martin, City Manager
DATE: December 6, 2010
SUBJECT: City Manager's Report

I. INTERNAL CITY INFORMATION

A. Recreation Program Registration Up 19%

As of mid-September, registration had increased 19% as compared to the same time last year. Contributing reasons include: (1) the community's enthusiastic embrace of its new Community Center facility; (2) the increase of individuals who need more-affordable public recreation opportunities during challenging financial times; (3) the need of out-of-work individuals to continue to stimulate their minds and connect socially with others; and (4) the need by many to relieve stress and stay healthy.

B. Seniors Participate in Regional Competition

Eight (8) Burien seniors joined participants from 10 other cities to compete in the regional "Senior Olympics – Golden Games" on November 8. Approximately 80 seniors competed in activities that included Billiards, Pickleball, Wii Bowling, a Spelling Bee, Bean Bag Baseball and more. Parks, Recreation, and Cultural Services (PaRCS) staff enlisted two Highline-area retirement centers to sponsor the event. Burien's seniors brought home 4 medals and 1 award, and had a wonderful time.

C. Burien Arts Exhibit at Community Center

On Friday evening, November 12, Burien Arts (formerly the Burien Arts Association) held a Gala Opening Reception for its first annual juried exhibition in the Burien Community Center's lobby. Approximately 25 artists were selected to exhibit their work. This was the first collaboration between PaRCS and Burien Arts in the new facility. The exhibit will run through January 14, 2011.

D. PaRCS Staff Provides Training

Recreation Supervisor Casey Stanley provided training to other cities' staff on the topics of "QR Codes" and "Microsoft Tags" at the November 10 marketing meeting hosted by the Washington Recreation and Parks Association (WRPA). Additional topics that were presented during the training included: "Social Media Policies and What You Can Do"; "The World of Mobile Apps"; and "Beyond Social Media".

E. Moshier Arts Center (MAC) Hosts New Open House

On Sunday, November 21, MAC hosted an event that highlighted the work of the facility's studio artists, while also giving the public an opportunity to paint bowls for the upcoming Empty Bowls event in January. Various artist demonstrations were also presented. Approximately 75 people attended, many commenting on how much they enjoyed the activities.

F. Electronic Plan Review Development

Building staff is participating in the Phase 1 Electronic Plan Review development process with the MyBuildingPermit.com (MBP) cities and counties. Phase 1 expands the capabilities of MBP to allow projects that require plan review primarily from the building department staff to be applied for, plan reviewed, comment letters sent, corrections and revisions transmitted and ultimately issue permits on line. Because the reviews will be limited primarily to building department reviews, Electrical, Plumbing, Mechanical, and Re-roof will still be the only on-line permits available, however they will be expanded to include commercial and multi-family permits that require a counter review or plan review. Cities/Counties that have a basics program will be offering building permits for basics. The plan is for Phase 1 to go live around March 1, 2011.

Phase 2 of the E-Plan project will include the ability for applicants to submit permit applications for projects requiring review from multiple departments and would include all building permit types, planning permits, right of way permits and other permits offered by jurisdictions. The scope for Phase 2 is much greater and will require a broader participant base for development and implementation.

G. Communities Putting Prevention to Work (CPPW) – Healthy Eating Active Living (HEAL) Grant Highlights

Staff is currently putting together a technical advisory committee that includes both city and community stakeholders to provide input for bicycle and pedestrian planning elements. Burien now has a signed inter-local agreement with Normandy Park for collaborative work on the Healthy Highline Communities Coalition.

Assessment of city food service for employees, general public and food procurement practices is underway, along with preparation for the December 7th Healthy Highline Communities Coalition meeting.

H. City Employees Score a Touchdown in Association of Washington Cities' (AWC) NFL Wellness Program

23 staff members recently completed AWC's sponsored: Nutrition. Fitness. Lifestyle. (N.F.L.) wellness incentive campaign. For 8 weeks, employees earned yardage by eating whole grains, being physically active, or getting adequate sleep. The campaign was designed to encourage participants to permanently incorporate these healthier habits into their daily lives.

Positive results from the participants' evaluations completed at the end of the NFL Program speak to the success of the program:

- 85% of the participants reported that they are more aware of their health habits now than they were prior to participating in the NFL Campaign.
- 100% of the participants reported that they were very satisfied or somewhat satisfied with the program.
- 100% of the participants reported that, if the campaign was offered again, they would recommend it to a coworker.

I. 22 Employees Qualify for the 2010 Wellness Incentive Pilot Program Award

In January of this year, the Wellness Committee recommended and obtained approval for an Employee Wellness Incentive Pilot Program. In hope of encouraging more participation in the Wellness Program, improving the overall health of our employees, and reducing on-going medical costs, the Pilot Program was designed to reward employees for participating in a minimum number of specific Wellness activities. Qualifying criteria included:

- Attend 2 of 6 educational programs and submit an evaluation form for the program.
- Participate fully and complete 2 of 5 formal (3 – 8 weeks) wellness programs and submit an evaluation for the program.
- Attend/participate in one special event.
- Complete the annual Employee Wellness Survey
- Participate in Association of Washington Cities' (AWC) Annual Health questionnaire.

The Committee's goal was to have 20 people qualify for the \$75 Incentive.

The Wellness Committee is pleased to announce that 22 employees qualified for the award. More importantly, 31% of the employees report that their health has improved slightly or improved significantly as compared to last year. In addition, 40% of the employees stated that they participated in more Wellness Events this year as compared to last year and 64% of the respondents indicated that the \$75 Wellness Incentive helped motivate them to participate in more programs. Given the initial success of the Wellness Incentive Program, the Committee has budgeted for the program to continue. The program is funded through City money and an \$875 AWC Matching Grant.

Research confirms that individuals who are physically active with healthy lifestyle habits come to work more often, are more productive at work, have fewer and lower long-term medical claims, have lower disability costs, and their job satisfaction levels are much higher.

J. Benefit Workshops and Fair

On November 17th, five of our employee benefit providers visited the City of Burien to participate in an Employee Benefit Day. The purpose of the Benefit Day was to provide employees with in-depth information about their benefit plan provisions and tools, provide one-on-one access to the vendors in order to receive information about specific situations, and to kick-off our annual Open Enrollment period. The day

included five benefit-related workshops, private consultations with the benefit providers, and a benefit fair. Each event was well attended and appreciated by the employees.

K. Burien Road Construction Communications

City staff uses a variety of methods, some familiar and some new, to update the public on current city road construction projects. We currently have two major projects underway:

SW 128th Street Storm Drainage System Repairs Continue

Construction crews continue repair work on the storm drainage system located below SW 128th St. Drivers can expect lane closures on SW 128th St. from 4th Ave SW to SR-509. At no time will the road be completely closed but drivers may experience delays.

Curb and Sidewalk Improvements on Ambaum Blvd

Construction crews have begun improvements to curbs and sidewalks on Ambaum Boulevard beginning at SW 112th and working their way south to SW 156th St. The right lane may be closed for short periods of time to accommodate the work. This work should take 4-6 weeks. During the same period, or directly following, crews will do the same type of work starting at SW 156th and work their way north to SW 112th. The City is working closely with Metro Transit to minimize impacts for bus riders.

For more information about road construction in Burien residents can:

- Call: (206) 436-5551
- Visit: www.burienwa.gov/roadupdates
- Listen To: 540 AM – Radio Free Burien
- Watch: Burien TV21 (Comcast)
- Sign-Up For: Burien ALERT-Road Construction Updates @ www.burienwa.gov/alert

L. Waste Management Encourages Recycling

Waste Management's outreach and education team did 30 door-to-door site visits in the newly annexed Burien area two weeks ago in an effort to increase recycling. They provided current recyclers with educational materials and informed non-recyclers of their opportunity to reduce waste and save money by increasing recycling.

M. Recent Storm Response

In response to our recent snow storm, the Public Works Maintenance Crews worked 12-hour shifts from Monday morning until roughly noon on Thanksgiving Day. They covered a total of roughly 280 lane miles, both plowing and spreading 258 tons of sand and 86.85 tons of salt, or a 3 parts sand to 1 part salt mixture. Now the sweeper has started running the same areas to clean it all up. The crews did an amazing job of keeping things moving in Burien!

II. COUNCIL UPDATES/REPORTS

A. Resignation Letter from Arts Commission Member (Pg. 147)

Attached is a resignation letter from Ted Ottinger, who has resigned from the Arts Commission, effective November 18, 2010.

B. Letter from Washington State Liquor Control Board (Pg. 149)

The City received the attached courtesy letter from the Washington State Liquor Control Board notifying us of their recruitment of up to three new contract liquor store managers in the greater King County area.

C. Notices (Pg. 151)

The following Public Notices (attached) have been published:

- Notice of Planning Commission Meeting Cancellations for December 14 and 28.

Ted Ottinger
217 So. 187th St.
Burien, Wa. 98148
(206) 244-3838

November 18, 2008

RECEIVED
NOV 19 2008
CITY OF BURIEN

Dear Mayor McGilton, City Mgr. Martin, City Council Members, Arts
Commission Chair Kathy Justin and Gina Kallman:

I was honored to be appointed to the Burien Arts Commission. I was
impressed with my fellow commission members and I gained a new
appreciation of all the people devoted to bringing art and culture to the
residents of Burien.

With financial challenges and my wife's health issues and other stress
issues my energy and creativity is drained. I feel the arts commission
deserves the best from each of it's members.

Therefore I find it necessary to resign my commission membership
from the date of this letter.

Sincerely,


Ted Ottinger



**Washington State
Liquor Control Board**

November 22, 2010

Mayor Joan McGilton
City of Burien
400 SW 152nd St, Suite 300
Burien, WA 98166

Re: Contract Liquor Store Manager Recruitment

Dear Mayor McGilton:

The Washington State Liquor Control Board is recruiting for up to three (3) new contract liquor store managers in the greater King County area. This process should take about 120 days.

The purpose of this courtesy notification is to allow you an opportunity for comment on our plan to locate these new stores within the boundaries of King County. We plan to adhere to RCW 66.24.010- 9A(attached), when choosing these locations. Please contact us within 20 days from the date of this letter if you wish to comment. Your comments should be in the form of a written statement of your concerns or interest.

Comments should be sent to the attention of Suzanne Lewis, Store Leasing Manager, at PO Box 43082, Olympia, WA 98504-3082. She may also be contacted by fax (360-704-5045) or email (sm@liq.wa.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read "Chris Liu".

Chris Liu, Retail Services Director
Washington State Liquor Control Board

Attachment

Cc: Susan Danby, CMAC Liaison

RCW 66.24.010

(9)(a) Before the board issues any license to any applicant, it shall give (i) due consideration to the location of the business to be conducted under such license with respect to the proximity of churches, schools, and public institutions and (ii) written notice, with receipt verification, of the application to public institutions identified by the board as appropriate to receive such notice, churches, and schools within five hundred feet of the premises to be licensed. The board shall not issue a liquor license for either on-premises or off-premises consumption covering any premises not now licensed, if such premises are within five hundred feet of the premises of any tax-supported public elementary or secondary school measured along the most direct route over or across established public walks, streets, or other public passageway from the main entrance of the school to the nearest public entrance of the premises proposed for license, and if, after receipt by the school of the notice as provided in this subsection, the board receives written objection, within twenty days after receiving such notice, from an official representative or representatives of the school within five hundred feet of said proposed licensed premises, indicating to the board that there is an objection to the issuance of such license because of proximity to a school. The board may extend the time period for submitting objections. For the purpose of this section, "church" means a building erected for and used exclusively for religious worship and schooling or other activity in connection therewith. For the purpose of this section, "public institution" means institutions of higher education, parks, community centers, libraries, and transit centers.



Burien

Washington, USA

400 SW 152nd, Suite 300, Burien, WA 98166
Phone: (206) 241-4647 • FAX (206) 248-5539
www.burienwa.gov

DATE: November 19, 2010
FOR RELEASE: Immediately
CONTACT: Office of Community Development (206) 248-5510

CANCELLATION

PLANNING COMMISSION MEETING NOTICE

The City of Burien Planning Commission meetings scheduled for December 14 and 28, 2010, have been canceled.

The next regularly scheduled meeting of the Planning Commission is on Tuesday, January 11, 2011, at 7:00 p.m. at the Burien City Hall, 1st Floor, 400 SW 152nd Street.

###

The City of Burien strives to provide alternate communication opportunities. Please contact the City Clerk's office, 206/248-5517, twenty-four hours prior to the meeting, for assistance.

cc: Burien City Council
Burien Staff
Burien Library
Discover Burien
Highline Times
Seahurst Post Office
White Center Now
B-Town Blog
Web site: www.burienwa.gov

*** PLEASE PUT ON COMMUNITY CALENDAR BULLETIN BOARD**

**CITY OF BURIEN
AGENDA BILL**

Agenda Subject: Discussion on Proposed Revisions to the 2011 Legislative Priorities		Meeting Date: December 6, 2010
Department: City Manager	Attachments: 1. Proposed Revised 2011 Legislative Priorities (w/ changes highlighted) 2. Proposed Revised 2011 Legislative Priorities (w/ changes incorporated)	Fund Source: N/A Activity Cost: N/A Amount Budgeted: N/A Unencumbered Budget Authority: N/A
Contact: Lisa Clausen, Government Relations Specialist		
Telephone: (206) 248-5515		
Adopted Initiative: Yes <input checked="" type="checkbox"/> No	Initiative Description: Develop and advance state and federal legislative agendas	
PURPOSE/REQUIRED ACTION: The purpose of this agenda item is for the City Council to discuss proposed revisions to the 2011 Legislative Priorities.		
BACKGROUND (Include prior Council action & discussion): On October 4 the Council approved the City's "2011 Federal and State Legislative Priorities." Since that action the Mayor and City staff have met with each member of Burien's legislative delegation (they were joined for one discussion by Councilmember Keene and another by Deputy Mayor Clark). The legislators have provided two basic messages. The first message is that the state has no money, due to the budget crisis, so it's highly unlikely any state funding will be available for local projects. The second key message is that the legislature would prefer to have other approaches pursued first, before asking the legislature to address issues related to Seattle City Light rates. In addition, the City's Capital Improvement Program (CIP), adopted by the Council on November 29, includes sufficient funding for the City's share of costs for completing the Seahurst north seawall removal project, so no additional State funding is required. Based on the new City budget information and feedback from the City's legislators, staff has drafted potential revisions to the 2011 Legislative Priorities (attached): <ul style="list-style-type: none"> • The first proposed change would remove the reference to seeking expansion of state programs that fund local infrastructure. • The second proposed change would remove reference to the Seahurst shoreline restoration project. • The third would clarify that the prescription medicine priority relates to the State and not the Federal level. • The final proposed revision would broaden the City's potential approach to address concerns over municipal electric utility issues. 		
OPTIONS (Including fiscal impacts): <ol style="list-style-type: none"> 1. Discuss and place the revised 2011 legislative priorities on next Council meeting agenda for action. 2. Discuss and request other changes to the 2011 priorities. 3. Discuss and decline to revise the 2011 priorities. 		
Administrative Recommendation: Discuss the proposed revised "2011 Federal & State Legislative Priorities" and give staff direction.		
Committee Recommendation: N/A		
Advisory Board Recommendation: N/A		
Suggested Motion: N/A		
Submitted by: Lisa Clausen		
Administration _____	City Manager _____	
Today's Date: November 30, 2010	File Code: R:\CC\Agenda Bill 2010\120610cm-1Revised2011LegisPriorities.docx	



DRAFT REVISED

**City of Burien
2011 Federal & State
Legislative Priorities**

Promote Economic Development with Infrastructure

- Seek federal and state support for the SR 518/Des Moines Memorial Drive interchange improvement project to improve access to the Northeast Redevelopment Area (NERA), with funding through reauthorization of the federal SAFETEA-LU transportation program and a state transportation revenue package. (Federal and State)
- Pursue \$5 million through a Federal Aviation Administration (FAA) Pilot Program, to partner with the Port of Seattle on a pilot project to conduct joint planning and pre-construction activities needed to develop the NERA. (Federal)
- Work with other stakeholders in support of legislation that will enable the state to make an investment in Burien and provide local flexibility to develop infrastructure and secure economic development in the NERA. (State)
- Maintain efforts with other jurisdictions to retain successful financing tools, such as the Transportation Improvement Board (TIB), Public Works Trust Fund (PWTF), and Washington Wildlife and Recreation Program (WWRP), and advocate for increased flexibility for local revenues, in order to maintain and enhance infrastructure and services and generate economic development. (State)

Comment [11]: Based on current state budget reality, no expanded funding will be possible.

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Strengthen City Services and Facilities

- Pursue legislation to allow local jurisdictions to create a Public Safety Authority, in order to enhance the police presence in the community through stronger local control and to save local tax dollars. (State)
- Defend against legislation that would damage cities' ability to finance vital city facilities and operations, including threats to impact fees, the annexation sales tax credit, and state-shared revenues. (State)
- Support efforts to improve the health of Puget Sound, including:
 - the \$55 million Puget Sound Acquisition and Restoration request of the Puget Sound Partnership, to fund shoreline protection plans;
 - and
 - creation of a pharmaceutical return program to prevent toxic prescription drugs from entering the Sound through inappropriate disposal practices. (State)
- Work with other affected jurisdictions to explore options to ensure that all customers of a municipal electric utility receive equal treatment (e.g. for rate-setting, appeals process and service). (State)

Comment [12]: Based on new CIP, City does not need to seek funding for the restoration project.

Deleted: completion

Deleted: of the Seahurst Park North Shoreline Restoration project, to help implement the Puget Sound Action Agenda,

Comment [13]: Remaining efforts are only w/ State; remove reference to Federal issue.

Deleted: Federal

Deleted: and/or

Comment [14]: Based on input from legislators, this priority is revised to broaden the approach.

Deleted: pursue oversight by the Washington Utilities and Transportation Commission of

Deleted: ies that provide service beyond their city borders

Deleted: , to provide those jurisdictions' ratepayers the same protection as private utility customers.



DRAFT REVISED City of Burien 2011 Federal & State Legislative Priorities

Promote Economic Development with Infrastructure

- Seek federal and state support for the SR 518/Des Moines Memorial Drive interchange improvement project to improve access to the Northeast Redevelopment Area (NERA), with funding through reauthorization of the federal SAFETEA-LU transportation program and a state transportation revenue package. (Federal and State)
- Pursue \$5 million through a Federal Aviation Administration (FAA) Pilot Program, to partner with the Port of Seattle on a pilot project to conduct joint planning and pre-construction activities needed to develop the NERA. (Federal)
- Work with other stakeholders in support of legislation that will enable the state to make an investment in Burien and provide local flexibility to develop infrastructure and secure economic development in the NERA. (State)
- Maintain efforts with other jurisdictions to retain successful financing tools, such as the Transportation Improvement Board (TIB), Public Works Trust Fund (PWTF), and Washington Wildlife and Recreation Program (WWRP), and advocate for increased flexibility for local revenues, in order to maintain and enhance infrastructure and services and generate economic development. (State)

Strengthen City Services and Facilities

- Pursue legislation to allow local jurisdictions to create a Public Safety Authority, in order to enhance the police presence in the community through stronger local control and to save local tax dollars. (State)
- Defend against legislation that would damage cities' ability to finance vital city facilities and operations, including threats to impact fees, the annexation sales tax credit, and state-shared revenues. (State)
- Support efforts to improve the health of Puget Sound, including:
 - the \$55 million Puget Sound Acquisition and Restoration request of the Puget Sound Partnership, to fund shoreline protection plans;
 - creation of a pharmaceutical return program to prevent toxic prescription drugs from entering the Sound through inappropriate disposal practices. (State)
- Work with other affected jurisdictions to explore options to ensure that all customers of a municipal electric utility receive equal treatment (e.g. for rate-setting, appeals process and service). (State)

