



*City of Burien*

BURIEN PLANNING COMMISSION  
October 26, 2016  
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](http://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 Curtis Olsen called the October 26, 2016, meeting of the Burien Planning Commission to order at 7:03 p.m.

**ROLL CALL**

Present: Butch Henderson, Anna Markee, Curtis Olsen, Amy Rosenfield, and Douglas Weber

Absent: Kim Davis and Kaelene Nobis

Administrative staff present: David Johanson, senior planner; Chip Davis, Community Development Department director

**AGENDA CONFIRMATION**

**Direction/Action**

**Motion** was made by Commissioner Henderson and seconded by Commissioner Weber to confirm the agenda. **Motion carried 5-0.**

**APPROVAL OF MINUTES**

**Direction/Action**

**Motion** was made by Commissioner Henderson and seconded by Commissioner Markee to approve the minutes of the October 12, 2016, meeting. **Motion carried 5-0.**

**PUBLIC COMMENT**

None.

**PUBLIC HEARINGS**

**A. So Yong Morton Comprehensive Plan Map Amendment Request, PLA 16-0451**

Chair Olsen opened the public hearing at 7:06 pm. David Johanson, senior planner, briefly described the request under consideration, which is a change in the Comprehensive Plan designation from Moderate Density Residential Neighborhood to Neighborhood Center for one parcel. He noted that no written comments on the request were received following the notice to the public. Mr. Johanson said staff recommends approval of this request because it meets all of the review criteria.

**Trung Nguyen, owner of 833 S. 112<sup>th</sup> St.,** stated that he is opposed to the proposed change because during the time he lived there, 1998-2007, he experienced problems ranging from crime that he associated with people hanging out at the gas station, noise from the nearby commercial development

adjacent to the gas station, and speeding cars in the area. He said he believes changing the parcel to commercial will make it even more dangerous to access his property from South 112<sup>th</sup> Street. Mr. Nguyen said the change would result in a loss of privacy for his property. He noted that all the trees that were required as a landscape buffer between the commercial and residential properties were cut down and he is concerned that the same thing will happen if the proposed designation is allowed and another business is opened. Mr. Nguyen said he is concerned about an increase in crime, traffic and noise associated with any new business going in and stated that it would adversely affect his property.

**Gerald Robison, 648 S. 152<sup>nd</sup> St., Suite 7**, said he is the attorney who assisted the applicants with their application and stated he is an advocate for their request. He said the trees referred to by Mr. Nguyen were planted 20 years ago when the gas station was built and were cut down four years ago because they had outgrown their location. He noted that they have been replaced by trees approved by the City of Burien. He said if the parcel in question is developed for a commercial use there would be landscape buffers on the east and south sides. He said the owner hasn't any firm plans about the parcel in question, but he anticipated a small retail development similar to that on the adjacent commercial property.

**Randy Breske, 11226 8<sup>th</sup> Ave S.**, said his property adjoins the south side of the parcel. He said he has little to say about the commercial area although it would be nice if the existing businesses cleaned up the garbage daily and cleaned the garbage dumpster in the summer when the odors are intense.

There being no further testimony, Chair Olsen closed the hearing at 7:27 p.m.

#### **B. Comprehensive Plan Text and Figure Amendments**

Chair Olsen opened the hearing at 7:28 p.m. Mr. Johanson summarized the proposed amendments: an update of Figure TR 2.5, Primary Truck Routes, and the addition of policy supporting the collection of school impact fees on behalf of Highline School District.

There being no testimony, Chair Olsen closed the hearing at 7:32 p.m.

### **OLD BUSINESS**

#### **A. Comprehensive Plan Map Amendment – Discussion and Recommendation**

Chair Olsen said he appreciated the testimony presented to the commission regarding the requested Comprehensive Plan Map Amendment. He said he also lives in Boulevard Park and travels on South 112<sup>th</sup> Street daily and is aware of the crime and other issues in the area. He said he does not see a connection between potentially more commercial development and an increase in problems.

Responding to a question from Vice Chair Rosenfield, Mr. Johanson reviewed the uses that may be allowed on the property if the designation is changed and the property is rezoned. Vice Chair Rosenfield said the language limiting expansion of commercial nodes to a radius of 1/8 mile from an intersection assures her that there cannot be an endless cycle of people trying to re-designate their property from residential to commercial, and so she said she is in favor of recommending approval of the request before the commission.

Commissioner Markee stated that she agreed that the commission should recommend approval of the request.

Commissioner Henderson asked about the difference between the proposed designation of Neighborhood Center and other commercial designations. Mr. Johanson said Neighborhood Center is

the least intensive commercial designation; another zone, Regional Commercial, allows the widest range of retail uses, including auto dealers. Other commercial zones allow mixed use at higher densities, he added.

Commissioner Weber said he thought the proposed change in designation makes sense, adding that he is concerned about how long it takes plants to mature enough in the transition area to actually serve as a buffer between commercial and residential uses.

Vice Chair Rosenfield moved that the Planning Commission recommend to the City Council approval of the Morton Comprehensive Plan map amendment request changing the land use designation from Moderate Density Residential Neighborhood to Neighborhood Center and adopt the findings and conclusions as presented in the staff report. Commissioner Henderson seconded the motion. **Motion carried 5-0.**

Mr. Johanson announced that the map amendment request will go before the City Council for discussion at its Nov. 21<sup>st</sup> meeting, 7 p.m., in the City Council Chamber/Multipurpose Room.

## **B. Comprehensive Plan Text Amendments – Discussion and Recommendation**

Commissioner Weber asked if the proposed text would accommodate the multi-city agreement proposed by the City Council to collect an impact fee on behalf of the Highline School District. Chip Davis, Community Development Department director, replied that state law requires that when levying any kind of impact fee there be a direct connection between the jurisdiction that is levying the fee and the capital improvement program that the fee is based on. He said the proposed policy provides the necessary backing in the event that the City decides to adopt a school impact fee.

Mr. Davis explained that Burien must co-adopt, with the district, the Highline School District's Capital Facilities Plan; if that isn't done, the money collected by an impact fee bears no relationship to the school construction that is required as a result of growth. He noted that even if the City Council declines to implement the school impact fee at this time, it is important that the Comprehensive Plan contain the policy basis for levying it sometime in the future.

Vice Chair Rosenfield moved that the Planning Commission recommend to the City Council approval of the Comprehensive Plan text and figure amendments as set forth in the staff memo and attachments dated October 3, 2016. Commissioner Henderson seconded the motion. **Motion carried 5-0.**

## **NEW BUSINESS**

None.

## **PLANNING COMMISSION COMMUNICATIONS**

None.

## **DIRECTOR'S REPORT**

Mr. Davis said the commissioners will begin work on some minor Zoning Code amendments at their next meeting, including downtown parking regulations, some telecommunications amendments and some accessory dwelling unit amendments.

He also announced that Tony Piasecki has been hired by the City Council to serve as interim city manager. Mr. Piasecki recently retired from the City of Des Moines where he was the city manager. He will serve as interim city manager until the City Council hires a new city manager.

**ADJOURNMENT**

**Direction/Action**

Commissioner Henderson moved for adjournment; Commissioner Markee seconded the motion. Motion carried unanimously. The meeting adjourned at 7:56 p.m.

**APPROVED:** \_\_\_\_\_

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Curtis Olsen, chair  
Planning Commission

DRAFT

**CITY OF BURIEN, WASHINGTON  
MEMORANDUM**

**DATE:** November 9, 2016  
**TO:** Burien Planning Commission  
**FROM:** Charles W. “Chip” Davis, AICP, Community Development Director  
**SUBJECT:** Proposed Minor Amendments to the Burien Zoning Code

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**PURPOSE**

At this meeting the Commission will receive a staff presentation on proposed minor amendments to BMC Title 19, Burien Zoning Code. Parking and Personal Wireless Service Facilities are the primary areas of focus for the proposed amendments, but there are also proposed amendments to correct typographic errors, correct outdated references and codify current practices relating to accessory dwelling units.

**BACKGROUND**

The Planning Commission must review all proposed amendment to ensure consistency with the criteria for zoning code amendments outlined in BMC 19.65.100. Amendments must be consistent with Burien’s Comprehensive Plan, must bear a substantial relation to the public health, safety, or welfare and must be in the best interest of the community as a whole.

The following list is a brief summary of the topics covered by the proposed amendments.

1. **BMC 19.20 (Parking and Circulation):** Proposed amendments incorporating consultant recommendations from the Downtown Mobility Study and City Council direction regarding the impacts of parking on development and business recruitment in downtown.
2. **BMC 19.50 (Personal Wireless Service Facilities):** Proposed amendments regarding the review process and timeline for minor modifications to existing Personal Wireless Service Facilities (PWSF) as a result of a Federal Communications Commission (FCC) ruling and a modification to the SEPA exemptions for wireless facilities.
3. **BMC 19.10.026 (Animal Small),** definition to include miniature goats. Was not added in Ordinance 636.
4. **BMC 19.10.312 (Livestock),** change existing ‘goats’ to ‘full size goats’. Was not added in Ordinance 636.
5. **BMC 19.10.090 (Critical Facilities),** change Uniform Building Code to International Building Code. New code reference.

6. **BMC 19.10 Definitions**, add definition ‘**Finished Floor Area**’, Finished Floor Area is the total area (total living area) of a home (main and wings) less any built-in garage area and any bi-level unfinished lower level area. Clarification for applying code requirements.
7. **BMC 19.20.100 (Parking)**, change Uniform Building Code to International Building Code. New code reference.
8. **BMC 19.40.430.6A (Development Standards)**, change Uniform Building Code to International Building Code. New code reference.
9. **BMC 19.17.070.2.E.(i) (Accessory Dwelling Unit (ADU) size)**, for detached ADU strike out ‘not larger than 50% of primary home’. In some instances the primary house is small and the detached ADU would be less than 400 square feet. This allows the detached ADU to be a maximum 800 square feet in those instances.
10. **BMC 9.105.400.2(i) (Noise)**, strike out ‘horns’, should be ‘homes’. Correct typographic error.
11. **BMC 17.15.120(1) (Boundary Line Adjustments (BLA))**, change Uniform Building Code to International Building Code. New code reference.

At the November 9<sup>th</sup> Commission meeting, staff will provide detailed background information regarding the proposed amendments and will begin the process of drafting specific language for presentation at your next meeting. The Commission will begin discussion of the amendments at your December 14<sup>th</sup> meeting with a public hearing and a recommendation to the City Council scheduled for the 1<sup>st</sup> Quarter of 2017.

#### **ACTION**

Staff is requesting that the Planning Commission receive the staff presentation and supporting materials for discussion at your December 14<sup>th</sup> meeting.