

City of Burien

BURIEN PLANNING COMMISSION MEETING

March 10, 2009

7:00 p.m.

Shared Conference Room, Burien City Hall

MINUTES

Planning Commission Members Present:

Janet Shull, Stacie Grage, Jim Clingan, Brian Bennett; Joe Fitzgibbon; Rebecca McInteer

Absent: None

Others Present:

Chip Davis, planner; Liz Ockwell, assistant planner

Roll Call

Janet Shull called the meeting to order at 7:05 p.m. At the call of the roll all commissioners were present except Commissioner Fitzgibbon and Commissioner McInteer. Commissioner Fitzgibbon arrived at 7:15 p.m.; Commissioner McInteer arrived at 7:22 p.m.

Agenda Confirmation

Motion to approve the agenda as printed was made by Commissioner Grage. Second was by Commissioner Clingan and the motion carried unanimously.

Public Comment

None

Approval of Minutes

Motion to approved the minutes of February 10, 2009, was made by Commissioner Clingan; second was by Commissioner Grage. The motion carried unanimously.

Old Business

None

New Business

- A. Discussion of proposed amendments to Burien Municipal Code Chapter 10.60 – Commute Trip Reduction Plan

Assistant planner Liz Ockwell introduced the commissioners to Commute Trip Reduction (CTR), noting that the state legislature passed legislation in 1991 relating to commute trip reduction in the Clean Air Act, intending to improve air quality, reduce traffic congestion and reduce the consumption of fuel by encouraging alternative modes of transportation. The law was modified in 2006, altering the goals to directly deal with congestion and delay issues.

Employers must participate if they have 100 or more full-time employees working at a single worksite. Although the City of Burien doesn't employ 100 people, Highline Hospital does, thus triggering a

requirement that the City of Burien also participate in CTR. The City has hired King County to administer the program.

CTR reduces the effects of climate change, manages demand on the transportation system in the state's most populated counties, reduces traffic delays, helps preserve infrastructure, holds affected employers accountable, and promotes partnerships and collaboration.

The City is required by state law to update its CTR ordinance and promote the program. The proposed amendments to the City's CTR ordinance would streamline the City's Commute Trip Reduction Plan and update some terminology. New goals and targets will help the program function more efficiently.

Ms. Ockwell will be presenting the proposed amendments to the City Council at its March 23rd meeting; tonight is the night for the Planning Commission to make its comments before the proposed amendments go to the council.

Commissioner Clingan asked if it was true that if the hospital wasn't in Burien, the city has no other employers large enough to trigger the requirement to participate in CTR. Ms. Ockwell replied that that is correct. The key is 100 or more full-time employees at a single worksite, meaning the school district wouldn't trigger the requirement because its employees are scattered among many worksites and another large employer, Fred Meyer, has many part-time employees, so it isn't affected.

Commissioner Bennett asked if the hospital has had, or will have, a chance to comment on the proposed amendments. Ms. Ockwell replied that it hasn't been sent to the hospital directly, but it has been sent to King County, which administers the hospital's program, and she has received King County's comments.

Chair Shull asked if the amendments would result in any significant changes to what the City or hospital are currently doing to meet CTR goals. Ms. Ockwell stated that it wouldn't change much; the amendments primarily streamline the City's program and focus the goals.

Chair Shull asked if it would be wise to add Discover Burien and Sustainable Burien to the list of community groups on page 15 of the City's plan. Ms. Ockwell replied that she agreed, noting that CTR isn't required for everyone, but voluntary participation is encouraged.

Commissioner Fitzgibbon said that on page 21 of the plan it states there is no financial gap for the bike and pedestrian lane improvements in the City's Urban Center, but it was his understanding that there is a gap. He asked for clarification. Ms. Ockwell said she doesn't know. Commissioner Fitzgibbon said he would like to know if there is a gap between what the City currently provides in bicycle and pedestrian improvements and what it would like to provide, and the size of the gap. Chip Davis, planner, noted that all major road projects being undertaken by the City are required to include a bike/pedestrian component. He further explained that City doesn't have an ongoing funding source for bicycle/pedestrian improvements; the funding comes when programs become available and the City applies for funds, or a developer has a project that may include a requirement to build a bike/pedestrian component. Commissioner Fitzgibbon would like to see the bike/pedestrian plan projects prioritized for future funding opportunities. Mr. Davis said he'll see if a presentation on the Bike and Pedestrian Plan can be made to the Planning Commission at a future date.

Returning to the topic of the proposed amendments to the CTR ordinance, Commissioner Bennett asked if the City can take on the work of administering the CTR program rather than King County. Ms. Ockwell replied that it would be difficult, requiring at least a half-time commitment from a staff member to develop incentive programs, conduct surveys, compile statistics and do all the other related tasks that King County currently handles on the City's behalf. It wouldn't be cost-effective for the City to take on the full responsibility of administering the program when there is only one affected employer in the city. Larger cities with many affected employers run their own programs, but the County administers the program for the many small jurisdictions in the county who can't afford to do it themselves. Commissioner Bennett said he would like to know if the City is receiving its fair share of services from

the County for the cost, which is \$4,000. Mr. Davis noted that the County's CTR representative will be at the City Council meeting on March 23; that might be a good time to ask that question.

There were no further questions or concerns from the commissioners.

B. Discussion of proposed amendment to Burien Municipal Code Title 19 (Zoning Code) – Off-site commercial parking

Mr. Davis reviewed the background of the proposed amendment. The owner of the northern portion of the property formerly occupied by BBC Dodge has approached the City asking if valet airport parking would be an allowed use on his property, which is in the SPA-3 Gateway zone. The owner stated he is facing the hardship of trying to replace a 17-year tenant during an economic downturn and the only prospective tenant he has at this time proposes valet airport parking. The owner reasoned that since a car dealer occupied the space for so many years, airport parking is not much different than cars parked waiting to be sold.

Because the property is located in the SPA-3 Gateway zone, a major entrance to Burien, the proposed off-site commercial parking is envisioned by the property owner and staff as an interim use. Ideally, at some time in the future the property may be the site of a hotel or other business suitable for the gateway into Burien.

Mr. Davis explained that originally a zoning code interpretation was considered, but it was decided that would not give staff enough assurance that the property wouldn't be developed into something unsuitable for the gateway. Staff is proposing a new definition for the off-site commercial parking use and allowing off-site commercial parking as an interim use in the SPA-3 and CR (Regional Commercial) zones with limitations. The use would be limited to properties used currently or within the past 12 months for new and/or used auto sales, and will be allowed only until July 1, 2012, after which the use will be illegal and must be removed. It is anticipated the economy will have recovered sufficiently by that date that other, more appropriate uses, may be developed. Also, in the SPA-4 use chart, "off-site parking" would be amended to read "off-site commercial parking." The July 1 deadline makes it clear that the use is limited and gives businesses a little more than three years to amortize their costs so they won't be able to make a "taking" claim against the City.

Commissioner Clingan said it wouldn't bother him if the use extended to the entire piece of property, rather than see a vacant corner at the gateway. Mr. Davis said the request is only for the portion owned by the requestor, but staff is approaching it on the assumption the entire property could be used in this manner. Chair Shull noted that an April 1 date is listed in the draft amended use zone charts; Mr. Davis said he would be correcting that to the July 1 date.

Commissioner Grage said she would love to see that location used as a hotel and feels this would be a reasonable interim use until the economy improves. She likes having a defined end date for the interim use.

Commissioner Bennett asked if the potential lessee is open to a short-term lease. Mr. Davis said the property owner would have preferred an immediate decision that would allow him to sign a lease with the proposed tenant right away. The zone code amendment approach requires a public hearing and City Council approval. The property owner would prefer the interim use to be open-ended, to allow the market to decide when to end it. So far he has only an expression of interest from a prospective tenant; no commitments have been made.

Commissioner Fitzgibbon agreed that the property, as part of the gateway, is too important to the City's long-term vision not to have a sunset date on the interim use. He said he would not support the proposed amendment if it were open ended.

Commissioner Bennett asked what the process would be to extend the period of use sometime down the line. Mr. Davis explained that it would be the same process as the current one, thus giving the Planning Commission and City Council an element of control.

Commissioner McInteer asked what sort of development would go on the site for off-site commercial parking. Mr. Davis said the City anticipates a very minimalist operation, just the parked cars and a shuttle bus to take customers to and from the airport. Signage, landscaping and other requirements would still need to be addressed.

Chair Shull said what she likes about the proposed amendment is that the interim use has a deadline. She does not think it's an appropriate permanent use for the zone.

Mr. Davis noted that the proposed amendment will be back before the Planning Commission for a public hearing on April 14th.

Planning Commission Communications

None

Director's Report

None

Adjournment

Motion to adjourn was made by Commissioner Grage. Chair Shull adjourned the meeting at 8:10 p.m.

/s/ Janet Shull, chair