

City of Burien

BURIEN PLANNING COMMISSION MEETING

July 28, 2009

7:00 p.m.

Miller Creek Room, Burien City Hall

MINUTES

Planning Commission Members Present:

Janet Shull, Jim Clingan, Brian Bennett, Rachel Pizarro, Joe Fitzgibbon

Absent:

Stacie Grage, Rebecca McInteer

Others Present:

Chip Davis, planner; Steve Nolen, Transportation Solutions, Inc.

Roll Call

Chair Shull called the meeting to order at 7:00 p.m. At the call of the roll all commissioners were present except Commissioners Grage and McInteer.

Agenda Confirmation

Motion to approve the agenda as presented was made by Commissioner Fitzgibbon. Second was by Commissioner Pizarro and the motion carried unanimously.

Approval of Minutes

Motion to approve the minutes of June 9, 2009, was made by Commissioner Clingan; second was by Commissioner Fitzgibbon. The motion carried unanimously.

Election of Chair and Vice-Chair

The commissioners decided to postpone the election until Aug. 25, when the absent members of the commission may be present.

New Business

Chip Davis, planner, introduced Steve Nolen of Transportation Solutions, Inc., which in 2006 provided the City with a parking study for downtown Burien. In 2007, a stakeholder group recommended using a fee-in-lieu of parking program to reduce a possible barrier to development of the downtown and to provide another tool to encourage redevelopment in the downtown. A fee-in-lieu program would serve as an alternative to the minimum on-site parking requirements for non-residential development in downtown Burien.

Mr. Nolen reviewed what a fee-in-lieu parking program is, and defined what would trigger its usage as “a change in use in the land or the property increases the parking requirement from what is available on the site.” It could be a completely new development or a change in use in an existing development that increases the parking demand to greater than what’s available, such as going from an office to a restaurant.

He listed potential benefits of a fee-in-lieu program: 1) can reduce the cost of development when on-site parking is difficult or expensive, especially on small parcels; 2) can encourage shared parking, which can be more efficient than parking on individual lots; 3) is more conducive to the walkability of an area because there aren't a lot of curb cuts, and reduces congestion because cars aren't coming into traffic at uncontrolled points; and 4) is an alternative to granting variances to developers who just can't fit parking onto their lots, providing revenue to build off-site parking.

Mr. Nolen noted some of the policy issues to be decided: What's the basis for the fee? Should the program be required or optional? Is the jurisdiction going to charge the full cost of developing each parking space or not, and if you don't, how do you finance the parking program? What are the expectations of developers and of the businesses that already provide their own parking? How should the City use the funds that come in? How would the City develop parking and manage a parking program; once a fee-in-lieu program is established, the City will be involved in the parking provision business either directly or through an association with another entity.

Mr. Nolen explained that there are three ways for determining the basis for the fee. Taking a case-by-case view, the City could have the land appraised to figure out exactly what it would cost to build parking for each individual project, which is very costly and time-consuming and difficult to administer. Another option is to establish varying costs based on the cost of developing in a certain area, for instance, the cost in the central business district would be higher than those in outlying areas of the business district. The third option is a uniform fee, common to virtually all the successful programs in this country. It very rarely is the full cost of parking recovered, but it's easier and quicker to administer and therefore more likely to be used. The program needs an ongoing process to adjust fees or the City would fall behind its costs, Mr. Nolen said, adding that adjusting fees can become a political process if there isn't a program in place, set through policy, to periodically re-examine and adjust fees.

Required programs are rare in the United States, according to Mr. Nolen, and usually only in a change of use for an existing building. Most programs are optional. The success of the optional programs depends upon the government subsidizing parking; it is necessary to provide revenue from somewhere else to supplement the fee collected to provide the necessary amount of parking. There are other revenues to come from the development and other benefits from having the parking program than just to the businesses paying the fees, so it can be justified, depending on a city's unique situation. The key, he said, is to look for a balance in determining the amount of the fee, taking into consideration demand, related site constraints, perceived costs and value. The decision to participate is made solely by the developer after looking at the rate, the cost of on-site parking, the value to the development of on-site vs. off-site parking, and the impact of parking availability on the success of the business.

Mr. Nolen explained that it is important to have a near-term approach to providing sufficient parking for the businesses – just because they pay the fee doesn't mean they will immediately have parking; people need to know there is no guarantee that you will build parking spaces when they hand the City their parking dollars. The City is required to use that money to build parking, but it doesn't have to build it immediately. It is on a case-by-case basis; the City already may have enough public parking available near the business paying the fee so the development of additional parking in that area may not be required. In some limited cases it is acceptable to use the fees for projects to reduce the need for parking, such as transit facilities and pedestrian/bicycle facilities, to try to get people into other modes of transportation. However, the fee-in-lieu ordinance has to be written in a way that allows that and people paying the fee have to understand that it could be used in that manner. Most businesses are going to expect convenient parking in return for paying the fee.

Mr. Nolen recommended looking at the fee-in-lieu money as “one-time revenue.” It’s paid one time, unlike a tax that will come year after year, so it should be used for one-time costs, such as purchasing land and developing surface lots or parking structures, to purchase the rights for a period of time to use surplus existing parking somewhere else, or use it for pedestrian/bicycle or transit facilities. It also could be used to support the operational costs for the City parking program, but only if the City put in a time-payment system producing an on-going revenue stream; Mr. Nolen does not recommend doing that as it makes the program more difficult to administer and must include penalties for non-payment.

The parking program could be administered in one of three ways: by City staff, by a parking commission, or by a public development authority. State law prohibits cities from directly administering city-owned parking facilities except for those facilities providing parking for users of “park or civic center facilities.” However, a city can contract with a private parking management company to administer parking for other uses. A parking commission has the same restriction. Public development authorities have a more private sector feel to them and may be more entrepreneurial in nature. They also have a little more leeway for developing partnerships with the private sector. Mr. Nolen said he believes this is an option worth investigating.

Mr. Nolen then explained the options for financing and developing parking facilities – through direct city financing and development, delegation or assignment of the City’s authority or through public-private partnerships. With direct city financing, revenue may need to come from general obligation bonds, revenue bonds, state and federal grants, or contributions from the General Fund. Delegation or assignment of the City’s authority can be accomplished either through 60-20 financing or a public development authority. In an example of public-private partnership, the City or public development authority could buy land and enter into an agreement giving a private developer the air rights and ability to develop offices, residential units or commercial space over a parking facility.

Mr. Nolen offered the following as topics to begin the commission’s discussion:

- Limit participation to downtown, non-residential properties.
- The program should be optional in most cases, but required for existing buildings with a higher parking need than is available on site.
- Instead of the current method, whereby the City allows a parking study to determine the parking demand, the City should base the required parking on Institute of Transportation Engineers parking standards. The City could reserve the option for a developer to submit a parking study in support of a request to provide fewer stalls.
- The rate should be uniform and approximately 70 to 80 percent of the City’s cost for developing a surface parking stall, with an annual adjustment for inflation based on the State of Washington Department of Transportation’s Construction Cost Index.
- The fee should be collected as a one-time payment in full before issuing a building permit.
- Review the program regularly.
- Set up a Parking Capital Fund and a Parking Operations Fund, keeping the money separate, and establish financial policies.
- Consider formation of a public development authority.
- Consider public/private partnerships.

Mr. Nolen noted that he will be discussing the Fee-in-Lieu of Parking Program study with the Burien Business and Economic Development Partnership on Aug. 14th and is available to appear before the Planning Commission again, if need be.

Chair Shull and Commissioners Pizzaro and Clingan said they would like to hear the BEDP's response to the study before the commission makes a recommendation.

Commissioner Clingan asked how much parking currently is available in the downtown; Mr. Davis explained that the last study of downtown parking determined that there is a surplus of parking in the short term – spread rather evenly throughout the downtown. The fee-in-lieu program would address long-term parking needs.

Commissioners Fitzgibbon and Pizzaro asked what other cities in the area have successful fee-in-lieu programs. Mr. Nolen replied that there are a few around and they all have a different environment – Kirkland's program uses its fee-in-lieu program to pay into a city parking facility in the downtown; several cities in Oregon have successful programs. He said it is a tool that works in some places and other places haven't chosen to use it. It's not common in Washington but, Mr. Nolen said, he thinks it would work in Burien because of the environment.

Commissioner Pizarro asked Mr. Davis is there is anything in process to increase bicycle facilities within the city; he responded that funding is required to do more than what the City currently is doing. Bike racks are often required during design review – for instance, for the City Hall. Chair Shull mentioned that some cities, one example being Portland, turn one on-street parking stall into multiple bicycle parking slots. Commissioner Pizarro said she tries to ride her bicycle as much as possible in Burien, but there are rarely places to lock it up. Mr. Davis said he would mention that to David Johanson, senior planner. Commissioner Pizarro said she would like to see Burien promote a more bicycle-friendly image.

Commissioner Fitzgibbon asked if there could be a fee-in-lieu program where in the downtown the fee is higher and goes toward parking facilities but in the other business zones the fee would be lower and go toward bicycle/pedestrian improvements. Mr. Nolen said he has yet to see a program set up like that, but he thinks it might be possible. Mr. Davis noted that the current focus is on downtown and Old Burien in order to foster redevelopment yet keep the small-town atmosphere and not have the issue of providing parking become an impediment.

Commissioner Bennett said he would like to have as much business community input as possible before making a recommendation to the City Council. He then excused himself from the remainder of the meeting to attend to family needs.

Commissioner Fitzgibbon said he would be interested, at a future date if the program is implemented, in investigating using revenue from the outlying business districts to fund bicycle/pedestrian improvements in neighborhoods that greatly need them. Mr. Nolen suggested that the authorizing ordinance be written to allow that. He also cautioned against making the program too big initially, otherwise it will be impossible to meet people's expectations.

Chair Shull commended staff for studying this potential program before the city reaches the crucial point of 85 percent of parking capacity filled; she also said as a consumer who likes to shop in Burien, she appreciates being able to park in one spot to shop the downtown, rather than finding most spots reserved for the business immediately adjacent, as she has found in other downtowns.

Old Business

None

Planning Commission Communications

None

Director's Report

None

Adjournment

Motion to adjourn was made by Commissioner Pizarro; meeting adjourned at 8:30 p.m.

Approved: August 25, 2008

/s/ Janet Shull, chair