

City of Burien

BURIEN PLANNING COMMISSION MEETING

October 27, 2009

7:00 p.m.

Miller Creek Room, Burien City Hall

MINUTES

Planning Commission Members Present:

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

Absent:

None

Others Present:

Scott Greenberg, Community Development Department director; David Johanson, senior planner; Stephanie Jewett, planner; Jeremy Hammar, planning intern

Chair Fitzgibbon called the meeting to order at 7:06 p.m. At the call of the roll all commissioners were present.

Agenda Confirmation

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

Public Comment

None

Approval of Minutes

Motion to approve the minutes of the October 13, 2009, meeting as presented was made by Commissioner Pizarro; second was by Commissioner Shull. The motion carried unanimously.

Old Business

- a. *Discussion and possible recommendation of findings of fact and conclusions supporting denial of Comprehensive Plan map amendment and rezone request No. 2009-6, Ohrt.*

Stephanie Jewett, planner, introduced a draft of the Planning Commission's findings supporting denial of the Larry and Karla Ohrt's request for a Comprehensive Plan amendment and rezone. The draft focuses, she said, on the inability of the proposal to meet Comprehensive Plan amendment criteria B, E and I, based on the commission's deliberations following the public hearing on Oct. 13th.

Ms. Jewett recited the appearance of fairness questions and asked the commissioners to reply verbally to each one. She noted that the draft findings and recommendation includes both the staff recommendation and the Planning Commissioners' recommendation; anything added to the draft findings is underlined, anything eliminated has been struck through. She said staff is bringing this draft before the commissioners to be sure it accurately reflects what the commissioners said in their Oct. 13th deliberations.

Commissioner McInteer thanked Ms. Jewett for her work on the proposed amendment.

Commissioner Bennett said he wanted the recommendation to adequately reflect that the residential neighbors who testified in the public hearing all were opposed to commercial development of the Orhts' property. Ms. Jewett referred the commissioners to page 3 of the draft recommendation where the neighbors' comments are summarized. Commissioner Bennett said he also would like to see that reflected under the "public need" criterion so that it is readily apparent to anyone reading the recommendation.

Commissioner Bennett moved that the Planning Commission adopt the findings and conclusions contained in Attachment 1 recommending denial of Comprehensive Plan amendment reference number 2009-6, with the following insertion in section B: "The residential neighbors who testified were against the proposed rezone, stating that there is not a public need." Commissioner Grae seconded the motion, which passed by a unanimous vote.

b. Discussion and possible recommendation of 2009 Comprehensive Plan policy amendments No. 2009-1, 2009-2 and 2009-4.

Mr. Johanson reviewed the work the commission has done to date on the three proposed Comprehensive Plan policy amendments.

Regarding 2009-1, the proposed Economic Development Element amendment, Commissioner Shull said the phrase "...clusters include airport related, 'green collar' jobs and non-profit organizations" sounds as if it is saying the "green-collar" jobs have to be airport-related, which she doesn't think is the intent.

Commissioner Shull moved the Planning Commission recommend to the City Council approval of comprehensive plan amendment reference number 2009-1 and adopt the findings and conclusions of the staff recommendation report, with the amending of the sentence on the top of page 8 to read "Other possible economic clusters include green-collar jobs, airport-related jobs and nonprofit organizations." Commissioner Pizarro seconded the motion; motion carried unanimously.

Next, Jeremy Hammar, planning intern, presented the revised comprehensive plan amendment reference number 2009-2, sustainability.

The commissioners discussed at length the language of policies SU 3.2 and SU 4.1.

Commissioner Shull moved the Planning Commission recommend to the City Council approval of comprehensive plan amendment reference number 2009-2 and adopt the findings and conclusions of the staff recommendation report, as amended by Attachment 1 dated October 27, 2009. Commissioner Pizarro seconded the motion.

Commissioner Pizarro then moved that the language of Policy SU 3.2 in Attachment 1 dated October 27, 2009, be amended to read "The community should work to become more efficient in our usage of resources." Commissioner Grae seconded the motion. Motion carried unanimously.

Commissioner Pizarro then moved that the language of Policy SU 4.1 in Attachment 1 dated October 27, 2009, be amended to read "Emphasis should be put on both the protection of healthy ecosystems and the restoration of distressed or suffering ecosystems." Commissioner Grae seconded. Motion carried unanimously.

Chair Fitzgibbon called for the vote on the original motion as amended. Motion carried unanimously.

The commissioners moved on to the final text amendment package, 2009-4 Capital Facilities Element text amendments. Mr. Johanson gave a brief overview of the package, reminding the commissioners that the proposed amendments recognize the City's change in business practice from an annual budget to a biennial budget.

Commissioner Shull moved the Planning Commission recommend to the City Council approval of comprehensive plan amendment reference number 2009-4 and adopt the findings and conclusions of the staff recommendation report. Commissioner Pizarro seconded. Motion carried unanimously.

c. Discussion and possible recommendation of proposed NERA Comprehensive Plan and zoning code/map amendments.

Scott Greenberg, Community Development director, introduced Mandi Roberts, project manager from Otak, the consulting firm working with the City on the NERA. Mr. Greenberg noted that since the commission's public hearing the previous week, no other public comments have been received by the City with the exception of e-mails from two auto dealers – Dean Anderson, representing Burien Toyota and Burien Chevrolet, and Mark Minium, representing Burien Honda – both expressing support for Alternative 1. He noted there are a couple of other comments that he will forward to the commissioners.

Commissioner Pizarro asked if staff has a preference among the three alternatives. Mr. Greenberg responded that staff prefers Alternative 1, because it is more flexible and allows auto dealers and retail uses in the southern portion of NERA. He said staff believes that is a direction the City should be pursuing. He noted that even if auto dealer and retail development does not occur there under Alternative 1, the flex-tech use is still an option. Alternative 2, he explained, does not allow for auto dealer or stand-alone retail uses at all.

Commissioner Pizarro then asked what staff envisions would happen to the auto dealership properties on First Avenue if the dealers move to the NERA. Mr. Greenberg responded that the City would probably do a “corridor plan” for the private land along First Avenue, in terms of what First Avenue should be in the future. He said it could be hotels and conference centers – close to the downtown but with great freeway access – or it could be additional retail uses looking for larger properties, or it could be mixed use, but it hasn't been planned out yet. He noted that hotels already are allowed in that area of First Avenue.

Commissioner Shull observed that sub-area plans would be important if Alternative 1 goes forward, to ensure that large-scale retail doesn't develop in the area best suited for the “auto mall.” Mr. Greenberg noted that there is much still to be done before an auto mall is created, but three auto dealers have expressed interest. The area where the mall most likely would be is owned by the Port of Seattle, so there is much work to be done with the port. Commissioner Shull said she has been impressed with the planning process that has been done to get to this point.

Commissioner Bennett asked to be reminded of the public comment process and how the Planning Commission will consider those. Mr. Greenberg explained that there are several options – the comments for the Draft Supplemental Environmental Impact Statement (DSEIS) are due Nov. 4. The commission can choose to take action at this meeting, before Nov. 4, because the commission has all the information and does not need to wait for the Final Supplemental Environmental Impact Statement (FSEIS) to be published. He said it does not appear, based on comments received so far, that there will be a major shift in the direction NERA redevelopment is going. Throughout the process the City has tried to involve the neighborhood – there have been several public meetings – and has listened to the neighborhood's desires and tried to incorporate that into the SEIS. He noted that while the Planning Commission can take action before the FSEIS is published, the City Council cannot.

The commissioners agreed not to forward a recommendation to the City Council until after the Nov. 4 DSEIS public comment deadline.

New Business

None

Planning Commission Communications

Commissioner Shull said she will be unable to attend Planning Commission meetings on Nov. 10 and 24. Commissioner McInteer said she won't be able to attend on the 10th either.

Director's Report

None

Adjournment

Motion to adjourn was made by Commissioner Shull. Commissioner Pizarro seconded the motion. The meeting was adjourned at 8:15 p.m.

Approved: November 24, 2009

/s/ Joe Fitzgibbon, chair