PLANNING COMMISSION
Minutes of March 8, 2004, Meeting

Members Present: Linda Snider, Joseph Dixon, Tom Dantzler, Rick Lucas, Mark Siegel

Staff Present: Steve Butler, Planning Director; Mike Scarey, Senior Planner; Brian Galloway, Associate Planner

1. Call to Order:

The meeting was called to order at 5:30 p.m.

2. Approve Minutes of February 23, 2004, Meeting:

A motion was made, seconded, and unanimously passed to approve the minutes of the February 23, 2004 meeting as presented.

3. Old Business:

A. Update on South Military Road Rezone Public Meeting

Mike Scarey stated that a public meeting regarding the South Military Road Rezone was held at the Valley Ridge Community Center on Wednesday, March 3 at 7:00 p.m. The meeting was staffed by Planning Department personnel as well as representatives from the Kent and Midway Sewer Districts.

Of the eight residents who attended, one from the northern section was adamantly against the rezone, and a few were interested in extending sewer service to their property. The poor attendance, along with an apparent lack of interest in the rezone proposal either for or against, makes it difficult for staff to gauge community sentiments. Also to be considered is the State-mandated four dwelling unit per acre minimum density requirement (UL 15000 zoning allows just over two).

Many months ago, there was interest from two property owners in the southern portion whose lots could be subdivided into between eight and twelve lots if they were rezoned to UL7200. Since then, Kent Sewer District has indicated that no non-gravity systems would be approved; therefore, grade and topographic constraints would make it nearly impossible for these properties, as well as others in the area, to connect to the system. Sewer districts prefer to have service run by gravity. A grade deviation would require the use of a grinder pump on-site at each home to pump the sewage to the main gravity-feed system.

Discussion was held about the City proceeding with the proposal to rezone properties to UL 7200, after which affected residents could propose policy revisions to Kent Sewer District that would allow for the highest and best use of properties; rezoning to a higher density may be misleading if the properties could not be divided; residents in the southern portion expressed concern about potential property tax impacts resulting from a higher density zoning.

Steve Butler explained that Kent Sewer District would likely require property owners to absorb all expenses related to any sewer line extension. At the public meeting, a property owner said the cost to connect an adjacent property would be approximately $30,000, while extending the system a few hundred feet could be between $65,000 and $75,000. Therefore, unless current septic systems are failing or expenses could be recouped through the creation of additional lots, most residents would not agree to incur the expense.

Mike Scarey advised that various options were available. The City could shelve the rezone proposal, consider separate rezones for the northern and southern sections, develop a phasing approach and apply a "potential" zone of UL 7200 to all properties with rezone approval conditioned on sewer infrastructure being in place, or the City could rezone all UL 15000 properties to UL 9600 regardless of sewer availability (which would bring the City into compliance with the four units per acre requirement). Properties zoned UL 9600 could support a septic system depending on several variables including soil type and septic system design.

This issue will go before the Land Use & Parks Committee on March 11 for their input and direction.

It was agreed that the liaison would report to the Land Use & Parks Committee that it was the consensus of the Planning Commission that further action on the rezone proposal be suspended.

B. Continued Discussion about the Planning Commission's 2004 Goals

Steve Butler began the discussion by reiterating that two changes had been made i.e. language regarding subarea plans was amended to read, "Work on South Riverton Heights Subarea Plan (only if activities warrant)" and language regarding meeting with other jurisdictions was amended to read, "Meet with Planning Commissions of other jurisdictions to identify shared issues and establish working relationships. (Potentially with Burien this year.)"

The first subject discussed was prioritization of the goals. Comments included that inactive issues remain on the list as placeholders to ensure they are addressed in a timely fashion, one purpose of the goals document is to keep the Commissioners apprised of issues that need addressing, and that City Council direction as well as various issues as they arise are pivotal in dictating priorities.

After talking briefly about the importance of maintaining communication with Highline School District regarding their future plans for surplus properties, discussion was held about possible City Council interest in fostering economic development goals within the City Center through tax incentives to create the identifiable city center containing residential businesses that citizens at the various public meetings endorse; whether or not sufficient customer base exists to support restaurants, coffee shops, etc. within a city center area; whether or not new concessions at the airport would be geared only toward the travelers or if the public and residents would have access without going through security; the goals and priorities developed by the City Council at their recent retreat.

4. New Business:

A. Discussion about Items to be Presented at the March 30, 2004, Joint City Council/Planning Commission Meeting

The Commissioners devoted considerable discussion to the issue of various past, present, and proposed development agreements within the City. Specific concerns included the criteria used to determine timelines, circumstances under which development agreements may be allowed to expire, and circumstances under which certain agreed upon development requirements may be amended during the life of the agreement.

It was requested that a Planning Commission request to be involved in the review of proposed development agreements, surface parking lots, as well as discussion regarding wireless telecommunication facilities and issues raised at the recent community meetings be included on the March 30 joint meeting agenda. A draft agenda will be prepared and presented to the Planning Commission on March 22.

It was suggested that agenda items the City Council would like to address be provided to the Commission along with minutes of the City Council retreat if they were available.

B. Initial Review of Comprehensive Plan Update Assessment Report and Schedule

Mike Scarey stated that the State requires all jurisdictions planning under growth management to have a major Comprehensive Plan update completed by December 1, 2004. Staff is in the process of completing a Comprehensive Plan Update Assessment Report that will describe the process of conducting the major update during the 2002 and 2003 Comprehensive Plan Amendment process, and identify actions to be taken during the 2004 amendment process. The assessment report will be a narrative report based on the following:

- The State checklist that will identify required plan contents, staff assessment of how the Plan meets requirements, and further actions necessary for compliance;
- Comments from the February public meetings including draft amendments based on comments related to various Comprehensive Plan elements;
- Other amendments identified by staff to complete the major update including the Community Image Element, Transportation Element, and Utilities Element.

The Planning Commission will review the assessment report on March 22, tentatively hold a public hearing on April 19, and make a recommendation to the City Council on May 3. The City Council will review the report on May 11, followed on May 25 by adoption of a work plan of amendments to pursue in 2004. The docket will include these items as well as any amendment proposals submitted by the public.

5. Commission Liaison's Report:

Commissioner Dixon has agreed to be the Planning Commission Liaison and attend future Transportation & Public Works Committee meetings.

The February 24 Transportation & Public Works Committee meeting agenda included the following: (1) Approval to award a contract for storm drain cleaning; (2) Approval of an ordinance to enter into an ILA to provide electrical inspection services to the City of Normandy Park; (3) Discussion on 24th Avenue South and South 144th Street pedestrian improvements; (4) Briefing on the garbage contract negotiations; (5) City tour for code enforcement, capital projects and maintenance; (6) Discussion about whether or not the Committee would like a briefing on the WIRA 9 Habitat Plan.

Discussion was held about questions submitted for Cityscape to address at the March 30 workshop; developing regulations that could be difficult or even impossible for providers to comply with versus gaining sufficient technical knowledge to avoid that situation; requiring existing installations in all zones to be made stealth-like at the time any changes to the installation are proposed (parallel to signs under the Sign Code).

Following a discussion about regulations governing a change of use on an existing commercial property versus regulations governing the development of a vacant site, Steve Butler advised that City Council direction to staff was that in cases where an existing commercial use was converted to another permitted use (that may have been permitted many years ago), that the conversion doesn't have to meet all current standards (such as landscaping and parking standards). Prohibiting the conversion based on the inability to meet the letter of certain current standards such as landscaping or parking spaces was unacceptable. It may be appropriate to request the City Council to revisit this policy issue.

It was agreed that the Planning Commission would discuss the change of use policies governing commercial properties with the City Council, possibly at the joint meeting on March 30.

6. Planning Director's Report:

The March 11 Land Use & Parks Committee meeting includes numerous Planning related items including an update the March 3 Military Road Rezone open house, discussion about minimum densities, discussion about the Comprehensive Plan Assessment Report, discussion about using gross lot acreage for calculating the number of lots in a proposed short plat, an update on wireless telecommunication facilities work progress, and discussion about miscellaneous zoning code amendments.

7. Adjournment:

The meeting was adjourned at 7:54 p.m.