



RENTON PLANNING COMMISSION

Meeting Minutes

July 19, 2006
6:00 p.m.

City Municipal Building
Council Chambers

Planning Commissioners Present: Robert Bonner, Jimmy Cho, Ray Giometti, Jerrilynn Hadley, Nancy Osborn, Joshua Shearer, and Greg Taylor

Planning Commissioners Absent: None

City Staff Present: Rebecca Lind, Long Range Planning Manager; Don Erickson, Senior Planner; Erika Conkling, Senior Planner; Judith Subia, Recording Secretary

1. CALL TO ORDER: Commissioner Giometti opened the meeting at 6:02 p.m.
2. ROLL CALL: Commissioner Osborn called roll; Commissioner Cho arrived at 6:11 p.m. and Commissioner Bonner arrived at 6:16 p.m.
3. APPROVAL OF MINUTES: The Minutes of June 21, 2006 were approved as written.
4. CORRESPONDENCE RECEIVED: Hearing Examiner Minutes of a June 13, 2006 meeting, regarding an approval for a seven lot subdivision of a 1.2-acre site for future construction of single-family residences; Hearing Examiner Minutes of a June 27, 2006 meeting, regarding a request for Site Plan approval, Environmental Review, and Variance for the removal of the existing substation and replacement with a new subdivision; Hearing Examiner Minutes of a June 27, 2006 meeting, regarding an approval for a 43-lot subdivision of an 8.05-acre site intended for the development of single-family residential lots; Letter from City Clerk regarding appeal, filed Alan and Cynthia Provost, of the Hearing Examiner's decision about the Provost Variances application.
5. AUDIENCE COMMENTS: Inez Petersen, 3306 Lake Washington Blvd, #3, Renton, WA 98057: Ms. Petersen informed the Commission that there was nothing done with the taping of the last meeting. She also said that she plans on having streaming video on their website to include all of the City's public meetings, including the Planning Commission meetings. If there were any concerns about the taping of the meetings, contact Sandel DeMastus.
6. COMMISSIONER COMMENTS: None
7. POLICY/CODE STUDY SESSION: **2006 Comprehensive Plan Amendments Briefing**

#2006-T-4: Text Amendment to update the Transportation Element to reflect changes in the capital projects

STAFF PRESENTATION

Don explained that the Transportation Element amendment is a housekeeping change. The Transportation Improvement Program is a six-year plan that is updated annually.

Table 8.3, the Six-Year Transportation Improvement Program, lists various street improvement projects. The Benson Road – South 26th Street to South 31st Street and SW 7th Street/Lind Avenue SW were removed from the Street Network because they are completed projects. Under Transit, the Transit Priority Signal System was also removed because of progress on that project.

The Transportation Element needs to be updated to comply with the Growth Management Act. This element is a critical element of the Comprehensive Plan.

AUDIENCE COMMENT

Brad Nicholson, 2811 Dayton Ave, Renton, WA 98056: Mr. Nicholson had a concern about the consistency of the Transportation Element and the Comprehensive Plan. Mr. Nicholson mentions Ordinance 3100 that involves transportation impact mitigation fees. Under this ordinance, he states that the City is required to adopt a transportation mitigation fee according to the Growth Management Act and review the fee periodically thereafter. He believes there has been no consistency with this.

#2006-M-7: Map Amendment to change the former Aqua Barn site from Neighborhood Business in the King County's Comprehensive Plan to Commercial Corridor to be consistent with the Renton Comprehensive Plan

STAFF PRESENTATION

Don gave a presentation about the former Aqua Barn Recreation Center site. The site is located at the southeast corner of Renton – Maple Valley Highway (SR 169) and 152nd Avenue NE. It is part of the Maplewood Addition Expanded annexation area. This property was zoned commercial and multi-family by King County in 1998. Density transfers allowed densities of up to 24 dwelling units per gross acre on portions of the site. Of the site's 33 acres, 16.3 acres has been set aside as permanent open space and 13.7 acres is residential. The three acres at the front of the site is zoned Neighborhood Business. A major landmark west of the site is the Assembly of God Church.

In December 2004, residents of Maplewood Addition to the west petitioned to annex to the City of Renton. The Boundary Review Board considered the annexation in May 2006 and expanded the original 60.5-acre area to over 340-acres, including all properties fronting on or accessed from SR-169. The Aqua Barn site was included in this expansion. Upon annexation into the City, these properties will have to be given Renton zoning. The current Residential Low Density (RLD) land use designation permits RC, R-1, and R-4 zoning, but not commercial uses.

Don brought up three issues: 1) Which Renton land use designation best reflect the current uses on the site, 2) Is there sufficient demand for commercial uses in the area to justify a Comprehensive Plan Land Use Map amendment to permit this use, and 3) Would the new land use designations be supported elsewhere in the expanded annexation area?

In the King County Comprehensive Plan, the subject 33-acre site is currently designated Neighborhood Business Center and Urban Residential – Medium, at four to 12 dwelling units per acre. It is currently zoned Neighborhood Business (3 acres), Residential 12, 12 to 18 dwelling units per acre (21 acres), and Residential 1, one dwelling unit per acre (9 acres).

The existing development is the 192 existing dwelling units and a proposed 22,000 square feet supermarket. The existing estimated residential density is 6.2 dwelling units per gross acre under the County methodology and 17.6 dwelling units per net acre under the Renton methodology. The difference is because Renton excludes steep slopes, streets, and private roads in determining the net density.

In the Renton Comprehensive Plan, the existing land use for this site is Residential Low Density. Potential zoning classifications include: Resource Conservation, one dwelling units per acre; Residential 1, one dwelling unit per acre; and Residential 4, four dwelling units per acre. The existing designations do not match the current densities or uses. Other possible land use designations that might be considered are Commercial Neighborhood in the Commercial Neighborhood (CN) zone, Commercial Corridor (CC) in the Commercial Arterial (CA), Commercial Office (CO), and Industrial – Light (IL) zones,

and Residential Medium Density (RMD) with both single-family and multi-family development in the Residential 10 (R-10), Residential 14 (R-14), and Residential Manufactured Home (RMH) zones.

The 10.92-acre portion of the site that contains residential structures has an average density of 17.6 dwelling units per acre. The 192 units on this portion of the site include 78 units that were transferred off the 16.3-acre portion that was set aside as permanent open space. Because the site is considered fully developed (except for commercial portion), no new development is anticipated.

Staff is recommending that the Comprehensive Plan Land Use Map be amended for the former 33-acre Aqua Barn site by changing the existing three acres RLD designation into the CC designation and changing the 30-acres into the RMD designation. Changing the existing City land use designation to reflect the County designated and zoned property fronting on SR 169 is consistent with the Comprehensive Plan and Vision. The proposed changes are generally consistent with the mapping criteria and GMA.

Commissioner Hadley asked if the property is still owed by Aqua Barn. Don said that there is a sale agreement and Rebecca added that there has already been a transfer to a second party. The commercial property will be transferred to a third party. She believes the Aqua Barn is no longer involved.

Commissioner Taylor asked if the southeast portion of the site is slated to be developed. Don said that this portion of the site is set aside as permanent open space. It is owned by the homeowners association and has restrictive covenants.

Commissioner Bonner asked if there are restrictions on how cars will travel to the site. Don said that this is a signalized intersection. Rebecca gave the Commission background information about the zoning and development of this property in King County. The rezone happened in 1998. The City of Renton opposed the rezoning that allowed a clustered multi-family development on the valley floor. The County did rezone the property, however the City of Renton went to the County Hearing Examiner and made arguments pertinent to the transportation issue. Because of the City's ability to demonstrate the additional traffic impact on Renton's streets, particularly at the intersection of I-405 and SR 169, the City of Renton received a portion of the County's transportation impact fees that were levied. In addition, the property owner was responsible for the signal improvement at the entrance of the site. Traffic analysis was done as part of the County's review of this development.

Commissioner Osborn asked for clarification about who paid for the light change at that intersection. Rebecca said that the Aqua Barn property owners contributed to the installation of the signal, but wasn't sure of the percentage paid. Commissioner Osborn believes that the church property also contributed. All these are in the County files, which will be sent to the City upon annexation.

Commissioner Osborn asked about the traffic impact of having a grocery store at that intersection and said that access would also be a problem. Access off of 152nd is also the used by the church and school. She believes that access to a grocery store at that street will be problematic. Rebecca said she would get the County file to see what was required for this rezone and Site Plan approval. The commercial zoning and ability to do to commercial at this location has already been approved by the County.

Commissioner Osborn said that she would also be interested in finding out if there are other funds that would come to the City from the County for changes that will need to be made for traffic in that area, such as road widening or adding turn lanes. Rebecca said that she will look into that. This particular annexation is not included in the interlocal agreement negotiations that are ongoing between the City and County about these types of things without the City's potential annexation area.

During the Staff presentation, it was mentioned that a mapping criteria is that a large surface parking lot exist. Commissioner Osborn asked why the church's parking lot has any bearing on this particular development. Don said that this criteria that was set up reflects existing areas of strip commercial, where parking lots are in front. This area is not an area of strip commercial. Rebecca added that this is a difference between the zoning and Comprehensive Plan designations that were written to describe

conditions in the existing City and applying them to an area where the County has had a different vision for that land use.

Commissioner Osborn asked for information about the distances of other existing grocery-type services from the site.

Commissioner Cho asked for the definition of spot zoning and if this proposal would fit in that definition. Don explained that spot zoned are considered generally illegal. Spot zoning is if a property owner in a residential zone decided he wants his parcel commercial, which cannot be done. An area can be changed if there is justification for it.

Commissioner Giometti asked if the City is locked in to have commercial on this property. Rebecca said that the City did agree to the commercial. Commercial Giometti gave an example of seven 3,000 square feet teriyaki restaurants, dry cleaners, or 7-11 stores and asked if they would be allowed. Rebecca said that this was possible.

Commissioner Shearer said that he would be interested in hearing about how the residents in the area feel about a grocery store being built in the area.

AUDIENCE COMMENT

Raymond A. Breeden Sr., 15279 Maple Dr, Renton, WA 98058: Mr. Breeden lives about three blocks from the signal light at the intersection at that Aqua Barn site. He believes that the travel density on the highway is tremendous and most use the mobile park that he lives in as a turnaround. He says that if a grocery store were built at that site, drivers will want to make a left turn and may not do so safely.

David Halinen, 2115 N. 30th, Suite 203, Tacoma, WA 98403: Mr. Halinen is a land use attorney and represents Aqua Barn Ranch Inc. He has been involved with the Aqua Barn property since the mid-1990s. Mr. Halinen was involved specifically in the 10 acre rezone with the County. Shortly after this rezone, Aqua Barn Ranch was approached by a residential multi-family developer interested in using the center portion of the site for multi-family development. A subsequent zoning effort was finalized in 1998. Aqua Barn still owns three commercial acres that are along the highway and is concerned about the proposal that was made by Cedar Grove Properties LLC, an entity with a purchase option. Mr. Halinen spoke of the current annexation and said that this property should not come into the City of Renton with an RLD designation.

Mr. Halinen clarified for the Commission a few questions that were asked during the presentation. A portion of the payment for the traffic signal was paid for by the Assembly of God Church. About one-third was paid for by the church and two-thirds by the Aqua Barn property owners. He also added that the traffic signal was set up with the church, residential, and commercial properties in mind. This has been carefully planned out in the prior work that was done at King County.

Mr. Halinen also explained spot zoning. He said that the term is a nickname that was given in historical court cases to irrational zoning. There is no rational reasoning for the zoning that it's given.

After clarification about the ownership of the property, Commissioner Hadley recused herself from this amendment based on prior litigation with the Aqua Barn.

Inez Petersen, 3306 Lake Washington Blvd N #3, Renton, WA 98056: Ms. Petersen said that this is a perfect example of how land use stipulations can be bent. A 250-foot deep section is not a place for a big grocery store. She mentioned different grocery-type stores within certain distances and feels that a grocery store would be out of place at this location. Ms. Petersen asked if residents of the 192 units on that site were notified and feels that a public hearing should be held to inform the residents of this issue.

Commissioner Shearer said that a 22,000 square feet grocery store is not a huge store. It is something that you would see more in a neighborhood. He added that if he lived in a neighborhood like this, he would like that have a grocery store nearby. He mentioned that this is beyond the scope of work that is being discussed and should look at the land use designation.

Rebecca said that the Commission is not reviewing a proposal for a 20,000 square foot grocery store. The Commission is reviewing the Comprehensive Plan and Land Use. A separate permit process would need to be done in order to build a grocery store at this location. She added that if Commercial Arterial zoning were put on this land, there could be a different development occurring there – a group of small shops or residential development, under Renton's CA code. At the next briefing, prior to the public hearing, Staff will include more information about the range of uses that can be allowed in that zone.

Rebecca clarified the process of the Comprehensive Plan Amendments. Staff gives a briefing of information to the Commission. This is the first time that the Commission hears about these items. A follow up meeting is held where Staff brings back information that Commissioners have asked for. At a third meeting, a public hearing is held where citizens can express their opinion about what the outcome should be. At a fourth meeting, a deliberation and recommendation is made. This recommendation is forwarded to the City Council, where it is accepted or changed. If a citizen has information about any of the amendments, they are welcome to bring it forward in writing, or at the next Planning Commission meeting or public hearing.

#2006-T-5: Text Amendment to update the Land Use Element to allow Residential Manufactured Home zoning to be an implementing zone within the Low Density Residential Comprehensive Plan designation

STAFF PRESENTATION

The City Council was approached by a group of representatives from the Wonderland Estates Residential Home Park Association who requested consideration of zoning upon annexation that would allow the park to continue to exist. They stated their intention to work with the property owner to eventually purchase this site. In consideration of this request, Council has forwarded this discussion to the Planning Commission for review and recommendation.

Rebecca gave a presentation about the Wonderland Estates and Condo Mobile Home Park. Both parks are part of the Maplewood Addition annexation. These two mobile home parks are in different forms of ownership. Wonderland Estates is a 113 units mobile home park where residents own their units but do not own the land. The other is a 95 units park with a condominium form of ownership, where owners own both the land and units. Eventually, the homeowners association will take over the full ownership and manage the park. An additional 50 units park is outside the annexation area but within the Potential Annexation Area (PAA).

Rebecca said that the Residential Manufactured Home Park (RMH) zoning is not allowed in the Residential Low Density Comprehensive Plan designation at this time. She gave three optional ways to allow RMH: Map amendment to Single Family, a map amendment to Medium Density Residential, or a text amendment with the RLD designation. Staff is pursuing the text amendment option.

Staff is recommending to add language to allow RMH in the RLD designation. Without this amendment, both of these areas would come into the City with R-4 zoning. RLD also allows Resource Conservation and R-1 zoning. Without an RMH zoning, the City would be looking at an R-4 zoning for the area.

The proposed language adds a statement to the purpose of RLD to read that lands developed with existing parks that were pre-existing upon annexation and provide a transition to rural areas and/or adjacent critical areas can be considered for RMH zoning. All of the residential mobile home parks along the valley floor provide a transition to rural areas.

The proposed language also provides an exception to four dwelling units per acre density, the maximum allowed in the RLD designation. This allows manufactured home parks to exist within the context of the overall purpose of the RLD designation.

Rebecca mentioned characteristics of manufactured home park uses. They are on the periphery of urban areas. These parks provide a wide range of lifestyle opportunities within the City, in terms of housing types. They provide ownership opportunities. They are a transitional land use with minimum

capital investment. Manufactured homes are located throughout rural areas, as parks or as individual units.

The Housing Element of the Comprehensive Plan also provides policy guidance for low-income housing and for manufactured home parks. The existing parks within the PAA are viable low-income housing for existing residents. If protected through zoning, these units can be maintained and as a result, long term housing opportunities will be expanded.

More information is needed regarding the age and condition of the existing units and whether they meet the current code. There is a difference between the City and County Comprehensive Plan in creating the ability for the zoning to be considered and the decision to do the rezoning itself. Findings about any particular site do not need to be made in order to amend the Comprehensive Plan.

There are significant differences in the way the clustering of density occurs and the gross and net density between City and County plans. The County policies allow the clusters to occur up to a maximum of 18 dwelling units per acre. They do not distinguish between unit type, such as single family and multi-family. The City zoning is specific about use and density ranges. More work needs to be done to understand the issues in this area. Staff recommends forwarding this to the City Council to include larger study of land use in the corridor as part of the 2007 work program and to add the ability to add RMH into the RLD designation.

Commissioner Osborn asked how the low density designation in this area and a consideration of changing it to RMD at a later time interact with each other. Rebecca explained that Council will hold a public hearing regarding the zoning in August on lands in this area. Council can only give the land R-4 zoning. It will annex into the city with R-4 zoning under the RLD designation. As part of the Comprehensive Plan Amendment process, a public hearing before the Commission will be held and a recommendation forwarded to the City Council. At that time, the zoning can be changed. Council may decide to have the Commission look at all of the land uses in the valley this year or to hold both this issue and the larger issues until next year's work program. Staff is bringing forward these issues separately because of the circumstance that the commercial development was expecting to go ahead in the County this year. When properties transition into the City with a vested approval from the County jurisdiction, the City accepts it and doesn't require it to be done in Renton standards. The issue of the mobile home park is brought forward because of the request of the unit owners. The park is for sale and the residents of the park are hoping to negotiate with the owner about the purchase of the park. In order to do this, the residents would like to have the RMH zoning.

Commissioner Osborn asked about the language in the proposed policy, LU-134a, where it states that "upon cessation of the manufactured home park use, these properties should be considered for Residential 4 zoning" and what the park would look like if the property was sold for commercial or other purposes. Rebecca explained that the only highest density zoning allowed in RLD is R-4.

Commissioner Bonner asked about the mobile home park with a condo form of ownership and wanted to know if an owner wanted to build something there, if they needed to buy out their neighbors or are the lots according to the R-4 zoning. Rebecca does not believe that this land is officially platted by King County. She will look into this. She added that the association would own the land and private owners would have a condominium ownership of the airspace above the home. If owners wanted to convert their manufactured home units to stick built units, they would not be able to with RMH zoning. It is allowed with R-4 zoning but not with the same density. The condominium is created at a greater density than allowed for stick build units.

Commissioner Taylor asked about the commercial development of the three acres and asked if there was any study done when the traffic light was installed about the traffic impacts of increased traffic. Rebecca said that there is no information about that, will find out about it, and added that there was a traffic analysis done at the time of the rezone.

AUDIENCE COMMENT

Raymond A. Breeden Sr., 15279 Maple Dr, Renton, WA 98058: Mr. Breeden lives at the Wonderland Estates Mobile Home Park. The residents understand that the property is for sale and have formed an association with bylaws. They have a business plan and are in the process of getting finances in order to purchase this park. This park will be called Wonderland Estates Mobile Home Association where shares can be purchased and residents will own the land. This park has 190 units with residents that are 55 and older. Mr. Breeden is afraid that if their finances do not follow through, they will be forced to move. They are looking at finances and other alternatives to help upgrade their mobile home park. Residents are asking for a chance to live out their years in peace.

Commissioner Taylor has heard the concern that was voiced at the Council meeting. He asked if a new owner could come in and build single family homes if the zoning is changed. Rebecca said that the only use allowed in the RMH zone is manufactured home units. The R4 zone allows single family homes. King County has zoned this area R-12. Upon annexation to the City, which is likely to occur by October, the zoning would change to R-4.

LaVonne Kahnehl, 15275 Maple Dr, Renton, WA 98058: Ms. Kahnehl is concerned about the residents at Wonderland Estates that have been living there for more than 25 years. Residents do not have money in the bank and live off of their social security or retirement income. Ms. Kahnehl feels that asking people to move after 25 years is an insult. She asked the Commission to keep the zoning R-4 or change the zoning to RMH. She thanked the commission for their time and concern.

The meeting recessed at 7:52 p.m. and reconvened at 7:59 p.m.

**#2006-M-2: Map Amendment to change the Kennydale Blueberry Farm from Resource Conservation to Residential Single Family
STAFF PRESENTATION**

Erika gave a presentation about the rezoning for the Kennydale Blueberry Farm. All lands designated Residential Low Density (RLD) were reviewed last year. During the review, the Blueberry Farm owners stated their intention to discontinue operation of the farm. Consideration of a rezone was tabled until a formal application was made and full staff work could be done on this issue. The owners applied for a rezone to R-8 or R-4 in December 2005.

The applicant's rezone request is based on facts that Resource Conservation (RC) zoning has failed to protect the farm from surrounding land uses. When the RC zoning was first put into place, it was to protect agricultural uses. It is currently spot zoned. It is the only parcel in a broad area in Kennydale that is not zoned R-8. The Comprehensive Plan Vision directs development at higher densities than one unit per 10 acres. The Farm owners have found that blueberry farming is no longer a viable business for them in this location.

Development around the blueberry farm has occurred at R-8 intensity. There has been an increase in impervious surface and storm water runoff associated with the housing. A new sewer infrastructure was installed and Higate lift station was removed. CamWest dewatered their parcels in order to construct the Heritage Glen plat, which was later renamed Winchester. Hydrology changes may have affected the viability of the agricultural use.

In 1992, the RC zone was created to protect and preserve lands for semi-rural use. The Blueberry Farm was zoned RC in 1993 to protect the agricultural use from land use changes. In 1995, the RC zone was amended to minimize the effect of agriculture on urban land uses. With this text amendment, instead of the focus on protecting the agriculture, the focus changed to protecting residential development from agricultural uses.

Erika showed the Commission potential critical areas. In the City's critical areas database, there is a mapped wetland shown on the property, but no formal delineation was done. A class four stream runs along the east and north sides of the property. The headwaters of Kennydale Creek, which runs to Lake Washington, are attributed to this general area.

Erika explained that it is questionable whether or not these critical areas exist. During her review of the site, she went through permit history to see what developments have found during their study and required reports of the area before developing. Erika found that limited, disturbed wetlands have been delineated in portions of the mapped area north of the Farm. More than half a century of agricultural use has likely compromised the mapped wetland area.

Washington State Department of Transportation (WSDOT) finds mitigation sites to install infrastructure over wetlands sites. WSDOT does this by taking aerial photos, doing an analysis, and having a wetland biologist to do site visits. A WSDOT aerial photo analysis suggests that because the Farm has been preserved as an agricultural use, it's likely that there may be underlying peat soils on part of the farm and may be restorable to peat wetland conditions. It was not a site that WSDOT chose for mitigation or restoration as it did not serve the purpose that WSDOT needed it for. Erika contacted the head biologist for WSDOT and was told that the site did have the ability to be restored and added that he has not gone to the property to analyze the site. No formal delineation or analysis has been done on the Blueberry Farm site. It is not required, until at the building permit level, to submit a wetland delineation for a Comprehensive Plan Amendment. This is routinely done based on available information

Continuing, Erika said that there was no wetland found in the CamWest development when a biologist surveyed the property. Given the conditions, the history, and development of this area, it is unlikely that the extensive wetlands exist. Erika explained the mapped developable areas and said that there is a Class Four stream that requires a 35 feet buffer. Wetlands found in the area are type two and three. A type one wetland has most functions of a wetland. Under type two, the mapped wetland and buffer leaves 1.15 developable acres. Under type three, the mapped wetland and buffer leaves 1.50 developable acres.

On a 3.4 acre parcel, with as little as 1.15 acres, Staff analyzed that a Residential Single Family (RSF) land use with an R-8 zoning would be appropriate. The purpose of this designation includes building large subdivisions, rehabilitating existing housing, and providing infill housing. None of these purposes would be served by rezoning the Blueberry Farm. R-8 zoning could not be achieved on this parcel. Staff recommends denial of this request for RSF land use and R-8 zoning.

The Blueberry Farm is currently designated RLD. The purpose of the RLD designation includes developing lower intensity residential uses where land is constrained by sensitive areas. Three zones implement this designation: RC, R-1, and R-4. This fits well with the conditions of the property.

Erika went over the mapping criteria for RLD and said that Policy LU-135 guides the mapping of RC and R-1 zones in situations where developable area is non-contiguous, or allowed density could not be expressed, due to critical areas. The Blueberry Farm's developable area is consolidated and could reasonably be developed for one to four dwelling units. RC and R-1 zoning would not be appropriate based on this criteria.

Erika also discussed R-4 zoning. The purpose of the R-4 zone is promotion of single family residences in urban neighborhoods with amenity open spaces. R-4 allows for lower intensity residential uses to provide maximum protection for critical areas, while still achieving urban densities. R-4 zoning is recommended for the Blueberry Farm.

Erika explained spot zoning to the Commission. Rezoning a single piece of property is considered spot zoning if it confers different rules and regulations on that parcel than on adjacent parcels which are similarly situated. Parcels near the Blueberry Farm may be similarly situated with a type four stream, identified wetland conditions, located at the "headwaters" of Kennydale Creek, and some also have steep slopes along I-405.

Staff is proposing an upper Kennydale R-4 rezone of about 15 acres. The boundary was drawn around an area that is similarly situated to the Blueberry Farm. Part of this comes out of the discussion that was had last fall in the input that was received from neighbors of the Blueberry Farm, who were concerned about hydrology changes, the loss of open space and visibility of wildlife in the area, and similar concerns about things that happen after intense development that change the character of the existing

neighborhood. This larger area meets the purposes and intent of R-4 zoning. It is already primarily developed at R-4 density and lot size. It is suitable for suburban estate style housing. R-4 would better preserves and protects natural systems. Buildable lands capacity would also be reduced. A property owner meeting is scheduled for August 23, 2006.

Staff recommends denying the Comprehensive Plan Amendment for the Blueberry Farm and recommends rezoning of the Farm to R-4. Staff further recommends considering a larger R-4 rezone in Upper Kennydale.

Commissioner Osborn asked for more information about the lot sizes map. Erika said that this map shows a broad area of upper Kennydale, including the boundaries for the potential rezone. In the R-4 zone, the minimum lot size is 5,000 square feet. The majority of parcels in this area are above 5,000 square feet.

Commissioner Osborn asked about potential ownership situations of contiguous property owners hoping to develop at R-8, but now cannot because of the proposed R-4 zoning. Erika explained that this information is available from the buildable lands capacity. There are 96 existing units within the boundary. When the buildable lands capacity is done, two factors are analyzed: how much development can occur on vacant parcels, and how much development can occur on underutilized parcels. There are a number of vacant parcels, including several acres directly across the Blueberry Farm. Under the R-8 zone, there are a fair number of parcels that are large enough to be subdivided. Looking at both factors, the capacity of this land is 205 units. The R-4 proposal would cut the development potential of vacant lands in half. The overall development would be 110 units, which includes the 96 existing units.

Commissioner Giometti asked about the single amendment to the Blueberry Farm and its relation to a rezone for a larger area. Erika explained that this eliminates the spot zoning issue and also addresses concerns that were voiced by several neighbors last fall about development in their neighborhood ruining the natural resources. This is beyond the scope of rezoning the Blueberry Farm alone. A neighborhood meeting will be held to discuss this issue with neighbors.

Commissioner Giometti asked how the owners of the Blueberry Farm could separate their request of a rezone from the neighborhood rezone. Erika explained that the Blueberry Farm will have a public hearing before the Commission regardless of what happens in the neighborhood. Rebecca also added that this is not an unusual or isolated incident in reviewing a private application and expanding the application to include a larger area. This has happened a number of times and offered the Commission more background information. Rebecca also added that at the time the R-8 zoning was put on this area, and the RC zone was put on the Blueberry Farm, the City did not have R-4 zoning. The R-4 zoning was created later for a broader range of purposes.

Commissioner Osborn requested a map that shows the existing buildings and vacant lots before this issue is considered.

AUDIENCE COMMENT

Inez Petersen, 3306 Lake Washington Blvd N #3, Renton, WA 98056: Ms. Petersen said that Dr. Knoll, a PhD, Senior Wetland Biologist for WSDOT was on the property and dug test holes, according to an email from Dick Gersib WSDOT. The issue of spot zoning is different from other properties that have been rezoned because this is a unique property. Peat wetland systems are very special and take about one inch every 40 years to evolve. This peat system is rare, even in Western Washington, and having a peat wetland in an urban area is especially unique. Ms. Petersen added that this is more than just a blueberry farm.

Harry Kodis, 2619 Jones Ave NE, Renton, WA 98056: Mr. Kodis feels that the City wants the property owners in the rezone area to be the buffer zone for the R-8 development that has transpired. He is concerned about how this will affect property values. In the last eight years, his land value has gone up 288 percent, and the house has gone up 183 percent. Mr. Kodis is paying a high price for his property and now will not be able to utilize it.

William O'Connor, 10402 151st Ave SE, Renton, WA 98057: Mr. Kodis is concerned about the wetlands mapping and feels that this map is an error. The analysis does not talk about the peat wetland that was identified by the Dept. of Agriculture. Mr. Kodis has a report from the Federal Conservation Service from the 1950's that shows a clearly mapped peat wetland in the area of the blueberry farm. He also noted that the Staff reports cessation of agricultural use on the farm but said that blueberries are still being sold.

Richard Gersib, 8525 37th Ct SE, Lacey, WA 98503: Mr. Gersib is a certified wetlands scientist. Wetlands are unique systems and stated that no one knows the extent of the wetlands at this area, because no wetland delineation has been done. There could be more or less than the assumption of 1.15 acres. He added that a 10 feet deep peat system is 5,000 years old. Other wetlands can be created but has never heard of anyone creating a peat system. Mr. Gersib feels that this is an opportunity that is not available at other places. Peat liquefies when built on. He added that he respects the property rights of landowners and the City's responsibility to plan and zone.

Erika clarified the 1.15 acres that are developable in the wetlands. This is with full realization that the extent of the wetland is unknown. The only thing known about the capacity of this land to have a house on the property is that there is one house on it now that has been there for a number of years. If a rezone were to happen and someone wanted to buy the property to develop houses, a wetland delineation would need to be done and the type of wetland would be known, what the buffer is, and what the developable area would be. This may or may not take up the whole parcel. Using the tools that were available, this was the analysis that could be done. Saying that something is possible does not exempt developers from complying with wetland regulations, which would protect a wetland system that was delineated there.

Sue Rider, 1835 NE 20th St, Renton, WA 98056: Ms. Rider lives next door to the blueberry farm. She feels that there is lack of science going into any analysis going into this recommendation. It does not seem like a good basis to make a decision. She feels that more research needs to be done.

Barbara Hicks, 1835 NE 20th St, Renton, WA 98056: Ms. Hicks does not feel that there has been a clear delineation of the wetland and that the City's current map may not reflect an accurate topography. She added that the wetland where the CamWest development occurred is higher than the blueberry farm. Ms. Hicks added that the blueberry farm is currently open. The bushes may be diminishing because they may be pass their time and may need re-planting. Ms. Hicks added that the surrounding neighbors were mostly concerned that this is a wetland and that it would be ruined by development. The other areas that are being proposed for rezone weren't as much of a concern as the blueberry farm. She added that no one anticipated that a whole rezone would be the outcome of objecting to a wetland being drained. Changing the zoning to R-4 doesn't seem like a good idea in view of what peat bogs are.

Sandel DeMastus, P. O. Box 2041, Renton, WA 98056, Vice President of the Highlands Community Association: Ms. DeMastus grew up on the eastside, in Bellevue, and feels that it is sad that people need to give up their farms. There is an old blueberry farm in Lake Hills that is on the edge of a wetland, there are trails there, and it is still used as a u-pick blueberry farm.

Jean Daniels, 1707 Jones Ave NE, Renton, WA 98056: Ms. Daniels lives south of the blueberry farm and has lived in the neighborhood for 18 years. She thanked the Commission for involving the neighbors and is excited about R-4. The neighborhood is a walking neighborhood and feels strongly that it good that property owners are involved in the rezone. Ms. Daniels added that she is not worried about the property value of her home because she likes where she lives and plans to stay there.

Robert Cave, 1813 NE 24th St, Renton, WA 98056: Mr. Cave stated that the facts are not accurate. There have been no land evaluations and areas that are developable are not known. He feels that this report is misleading.

Jean Stearns, 2216 Jones Ave NE, Renton, WA 98056: Ms. Stearns is curious on the motivation of extending the boundaries of the proposed rezone. One property owner submitted an application for a

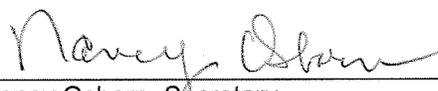
rezone and is not affecting 49 acres. She feels that there is an ability to develop at an R-8 level and still protect the creek and wetlands in the neighborhood. Ms. Stearns added that it is wonderful to have a working farm in the neighborhood. She suggested that the City considering using the existing RC parcel as open space to use as additional park space and neighborhoods become more dense.

Commissioner Osborn thanked the audience for coming in to share their comments.

8. DELIBERATION/RECOMMENDATION: None
9. COMMISSIONER COMMENTS: The next Planning Commission meetings will be on August 2, 2006 and August 9, 2006. The agenda for the August 2, 2006 meeting will be additional briefings on the Comprehensive Plan Amendments. The August 9, 2006 meeting will be a briefing on the proposed Preserve Our Plateau annexation zoning issue. There will be additional opportunities for public to present information and comment on Comprehensive Plan Amendments at an additional briefing and public hearing.
10. ADJOURNMENT: The Meeting was adjourned at 9:23 p.m.



Ray Giometti, Chair



Nancy Osborn, Secretary