



RENTON PLANNING COMMISSION

Meeting Minutes

September 6, 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; Erika Conkling, Senior Planner; Don Erickson, 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 Bonner arrived at 6:27 p.m. and Commissioner Hadley arrived at 7:00 p.m.
3. APPROVAL OF MINUTES: The Minutes of July 5, 2006, July 19, 2006, August 2, 2006, and August 19, 2006 were approved as written.
4. CORRESPONDENCE RECEIVED: Email from Brett Hawton regarding upzoning for the Renton Highlands; Hearing Examiner Minutes of a July 18, 2006 meeting, regarding a Master Plan, Site Plan approval, and Environmental Review, for a Lowe's Home Improvement retail store, garden area, and parking spaces; Hearing Examiner Minutes July 18, regarding a Short Plat approval for an 8 lot subdivision of a 1.17-acre site for the future use of detached single-family residences; Hearing Examiner Minutes of an August 15, 2006 meeting, regarding a Conditional Use approval to establish an additional space for the Highlands Community Church within a portion of the Renton Housing Authority administration building; Hearing Examiner Decision on matters of standing and jurisdiction brought by attorneys for Alliance for South End and Progressive Alliance for a Sustainable Southend.
5. COMMISSIONER COMMENTS: None
6. POLICY/CODE STUDY SESSION: **2006 Comprehensive Plan Amendments Follow Up Discussion**

Rebecca explained that tonight's meeting is dedicated to responding to the Commissioners' prior questions regarding various applications.

#2006-M-1: Map Amendment to change Map Amendment to change the designation from a combination of Neighborhood Commercial/Single Family with Neighborhood Commercial and R-8 split zoning to Neighborhood Commercial Land Use with Neighborhood Commercial zoning at 1315 N 30th St.

STAFF PRESENTATION

This site has a split zoning of R-8 and Neighborhood Commercial zoning. Commissioners asked how development is accommodated when there are two zones on a property. Rebecca explained that it is done through interpretation by the Development Services Division. The development is treated based on the percentage of land that is in each of the zones. There are a number of places in the City where there are long parcels that are in more than one zone. When the development comes in, depending on where the project is located, it can be concentrated in the zone that is correct for that use and there is no issue. In a case where there are multiple residential zones, the density is sometimes averaged if the uses are allowed in both zones. Split zoning is something that can be accommodated through interpretation based on a site-specific development permit.

#2006-M-2: a) Map Amendment to change the Kennydale Blueberry Farm from Low Density Residential with Resource Conservation zoning to Residential 4 zoning, or Residential Single Family with R-8 zoning and b) Discussion of whether to expand application #2006-M-2 as a separate city-initiated areawide Comprehensive Plan amendment and rezone, to be numbered #2006-M-8, to consider redesignation of a larger area of approximately 49 acres as a separate item of review. The proposal is to change the land use map from Residential Single Family with R-8 zoning to Residential Low Density with R-4 zoning within the area generally between I-405, NE 16th, NE 28th, and the Heritage Glen Subdivision

STAFF PRESENTATION

Erika gave a presentation regarding the Blueberry Farm rezone. The owners of the farm applied for a rezone to R-4 or R-8. The property is currently zoned RC. During the Planning Commission briefing on July 19, Staff recommended a rezone to R-4. Critical areas regulations would protect against development of any existing critical areas on the site and R-4 zoning would allow the owner some economic use of the remaining land.

Commissioners asked for more information about stream classifications. A report by Cedarock Consultants Inc shows why the stream was classified as a class four watercourse. The difference between a class three and class four waterway is whether or not the stream has intermittent flow during the year. This particular waterway, through anecdotal evidence and calculations, it is highly likely that the stream does not flow year round. The difference between a class four and class five waterway is whether or not the stream is within a naturally defined channel. The waterway runs through a hand-dug ditch. In the consultant's analysis, it is stated that the entire area was a swap in its natural conditions.

Additional information was also requested regarding a Staff initiated proposal to rezone a portion of Upper Kennydale in the vicinity of the Blueberry Farm to R-4. Neighbor comments that were received during last year's Comprehensive Plan Amendments process and during research of the permit history in the area have prompted Staff to consider the viability of R-8 zoning in this area.

A meeting was held on August 23 to discuss this proposal with property owners in the area. More than two dozen property owners attended the meeting. Twenty-eight comment sheets were collected, represented 23 property ownerships. Nine were neighbors outside the affected area, and they all favored R-4 (or lower) zoning. Seven ownerships favored R-8, six ownerships favored R-8, and one was uncertain.

Staff recommends that this City initiated proposal be assigned its own Comprehensive Plan Amendment (CPA) and be numbered #2006-M-8. This issue should also be taken to public hearing on September 20, 2006.

Commissioner Giometti asked for clarification and wanted to know what assigning this proposal a number would mean. Erika explained that there is a private CPA application submitted by the owners of the Blueberry Farm. By separating the two issues out, this enables Staff to resolve the private CPA issue by the end of the year and the flexibility of the Staff initiated CPA to possibly be resolved this year or not.

Continuing, Erika said that the issue of the Blueberry Farm has taken over a year to resolve because of last year's CPA for Residential Low Density lands. Nine months of review had been done on low density lands before Staff was aware that the owners of the Blueberry Farm weren't going to farm the property much longer and wanted a rezone. At that time, there wasn't enough time to do a full study of whether or not rezoning would be appropriate. Staff asked the owners to come back and file a CPA so that it could be done during this year's amendment cycle.

Rebecca added that by giving this proposal its own number allows comments and testimony to be heard separately at the public hearing.

A motion has been made to accept the Staff recommendation to assign the Upper Kennydale rezone its own CPA number. **MOVED BY TAYLOR, SECONDED BY OSBORN.***

Commissioner Cho asked if the area presented in the defined area or if the study should be made on a broader area to include the area south of 28th. Commissioner Shearer said that development in the area south of 28th has already been developed to its maximum level. Rebecca said that the area south of 28th has not been shown on any maps and if it was the intention of the Commission, it would affect who gets notified. Erika added that the area can be expanded or contracted. Erika showed a map of the area and explained that part of the reason that the boundary was drawn this way is because of the concentration of parcel sizes of 5,000 square feet or above in the affected higher. Surrounding the affected area is a ring of smaller parcel sizes. Commissioner Giometti said that citizens would question if the amendment was thought out if the boundary is expanded.

***COMMISSIONERS CONCUR. MOTION CARRIED.**

A motion has been made to accept the Staff recommendation to have a public hearing on September 20, 2006 on #2006-M-08. **MOVED BY CHO, SECONDED BY SHEARER. COMMISSIONERS CONCUR. MOTION CARRIED.**

**#2006-M-3: Map Amendment to change Residential Single-Family with R-8 zoning to Commercial Corridor with Commercial Office zoning, 851 Carr Road
STAFF PRESENTATION**

Rebecca explained the information that was requested about the property being legal non-conforming. This is a residential property in an R-8 zone with a mortgage business. After research, it appears that there are code compliance issues with the existing business. At the present time, there is no owner occupant on the property, which is required.

Commissioners also requested information regarding the sign code. One of the reasons that the property owners came forward and requested a rezone was because they were not able to get a commercial business sign at that location. Rebecca distributed copies of the City sign code to the Commissioners. Outside of the City center, owners can have a sign that goes up to the maximum height in the zone, or 40 feet high. Wall signs, free standing signs, and monument signs are allowed at a slightly different standard.

Commissioner Osborn asked if the property's conformity to the code has any bearing on the signage. Rebecca explained that there is no sign now, but if it is decided that the property shouldn't be residential and the property is reclassified as commercial, it would eliminate the issue of whether there was a code compliance problem. If the property stays in a residential zone, the signage would be limited to a home occupation sign, which is two square feet.

Commissioner Taylor asked if the rezone were to take place if it would resolve the issue about legal non-conforming. Rebecca explained that Staff would continue to follow up on that and if there is anything relevant, it will be presented to the Commission at the public hearing.

**#2006-M-4: Map Amendment to change Medium Density Residential with R-10 zoning to Commercial Corridor with Commercial Office zoning. 244, 807 sq ft parcel located between S 37th St and S 38th Ct, east of Talbot Rd
STAFF PRESENTATION**

Rebecca explained that there is a new Staff report as a result of the initial recommendation to deny the rezone. The request was to amend the Comprehensive Plan from Residential Medium to Commercial Corridor. This is a 5.61-acre property that is adjacent to Valley Medical Center. The property owner and consultant met with Staff and presented new information, which has cause Staff to change the recommendation.

This property was originally rezoned in 1975 to a public use (P1). This prior zoning allowed office development as part of the Valley Medical facility. The site platted in 1979 before the Hearing Examiner as part of a four lot short plat for development of a medical clinic application. There was a condition and covenant applied to the property at the time that created a new road to give access to all four lots. The road was required to provide access to the interior of the lots and there was no turn-around required. The fact that the plat was approved with a dead end public street without a cul-de-sac or turn-around on lot four indicates that a future site plan allowing adequate traffic circulation and turn-around was anticipated.

The file documents that restrictive covenants were applied to the property upon re-zoning in 1975. A 50-foot public easement was to be dedicated giving access to the entire property (all four lots) and that access was not to occur off of South 37th St.

The property owner has come to the City with a pre-application site plan and has demonstrated how they could comply with the new Critical Areas Ordinance with an office building that meets the minimum setbacks and buffer required from the creek. Three of the four lots already have medical complexes on them. Based on the new information presented, Staff is recommending support of the rezone to Commercial Office.

Commissioner Giometti said that residents were worried about the impact of traffic and that this is a good conclusion for both parties.

Commissioner Osborn asked if the creation of the street was the responsibility of the developer. Rebecca explained that the road is already there. The remaining fourth lot, if developed as a commercial property, has the right to use the road.

#2006-M-7: Map Amendment to change approximately three acres of the former Aqua Barn site on Maple Valley Highway from Residential Low Density (RLD) to Commercial Corridor (CC) with Commercial Arterial (CA) zoning.
STAFF PRESENTATION

Don gave a presentation and shared additional information with the Commission. The 10.92-acre portion of the site that contains residential structures has an average density of 17.6 dwelling units per net 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 the commercial component, no new development is anticipated.

The Commission requested information regarding the transportation impacts. The 2000 Traffic Study indicated pre-intersection level of service (LOS) of "F". The new bridge access and improvements were to bring the LOS up to "C". The 2003 Supplemental Traffic Study indicated that Polygon Northwest's planned 247 dwelling units would not change the new anticipated LOS at the four-way intersection at Maple Valley Highway (SR-169) and SE 152nd Street. The LOS would remain "D" and the total development of the site would account for less than nine percent of total peak hour traffic at the intersection and eight percent of daily traffic.

Polygon Northwest paid more than \$981,000 for transportation improvements including \$337,000 towards the new \$488,000 signalized intersection. The New Life Church paid the remaining \$151,000. In addition, Polygon Northwest paid \$604,000 in traffic impact fees to King County. Renton may have received a share of this for future improvements at the SR-169 and I-405 intersection.

Staff is recommending that the Planning Commission support an amendment for the former 33-acre Aqua Barn site by changing three acres of the RLD designation portion to CC to allow CA zoning on this portion of the site.

Commissioner Giometti asked why the zoning of the houses needed to be changed if the 30-acres have already been developed and no new development is anticipated. Don explained that when this site comes into the City as part of the Maplewood Addition annexation, City zoning would need to be applied. Zoning closest to the King County zoning should be applied to avoid non-conforming uses.

The Commission asked about the distances of other grocery-type services in the area. Don showed an exhibit showing the distances to three Safeway stores. The Safeway in Fairwood is 2.9 miles, the Safeway near the High School off of 2nd and Lake is 3.7 miles, and the Safeway on NE 4th and Union is 2.5 miles. Residents have shown a broad support of grocery stores in the area.

Commissioner Giometti asked if restaurants with drive-through allowed in the recommended zone. Don said that they are.

Commissioner Bonner asked if residential would be allowed above the grocery store. Don said that it was allowed but unlikely.

Commissioner Osborn asked about the height limit. Rebecca said that it is 50 feet.

Commissioner Osborn asked if the commercial use that was envisioned when the traffic study was done was a grocery store. Don explained that it was. The original component was the full ten acres, which had a larger retail, bank, and restaurant type facility. There was a subsequent proposal that showed a service station and two fast food type uses on the site.

Commissioner Giometti asked if there was an estimate of how close in feet the closest home would be to the grocery store. Don explained that the condos are immediately behind the commercial zone with an access frontage road between them. This will go through Site Plan Review. Don showed an aerial view of the site and estimated a 60 feet setback from the property line. The commercial development would have a setback of eight to ten feet from the property line.

**#2006-T-3: Text Amendment to update the Land Use and Community Design Elements with housekeeping changes
STAFF PRESENTATION**

Rebecca explained that the changes for this amendment were originally small text changes. At the briefing for this amendment, the Commissioners raised new issues other than what Staff proposed to bring forward. Commissioners will review both elements and will email any questions to Staff. Staff will prepare a hearing draft and present it to the Commission at the public hearing.

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

Rebecca explained that there is no new information for this amendment. Additional information will be presented at the public hearing.

The meeting recessed at 7:30 p.m. and reconvened at 7:36 p.m.

AUDIENCE COMMENT

Inez Petersen, 3306 Lake Washington Blvd N #3, Renton, WA 98056: Ms. Petersen feels that the Kinzer's should get back the money that they have paid the City for their zoning activities and that the City should pay the Kinzer's for the Blueberry Farm. It is a unique blueberry bog fed by underground springs. The City should protect the area by not installing drainage that would impact the critical area. Ms. Petersen feels that the blueberry bog could be a unique park for the City and gave different examples of its uses. It is a critical area and should not be zoned R-4 or R-8.

Susan Rider, 1835 NE 20th St, Renton, WA 98056: Ms. Rider asked if any professional studies are available for the public to view and is interested in seeing what the Staff's decision is based on.

Barb Hics, 1835 NE 20th St, Renton, WA 98056: Ms. Hics is interested in knowing what the City's part is in protecting the critical areas. She would also like to see what studies have been done for this area. There is documentation showing that most of that area is a wetland and nothing showing otherwise. Ms. Hics gave an

example of Seattle replanting trees that have been taken down and asked how you bring something back after it is destroyed.

Jim Nelson, 1905 NE 20th St, Renton, WA 98056: Mr. Nelson's parents told the Commission that his mother has worked in the blueberry farm for about 30 years. In the summer, the creek always flowed. Mr. Nelson feels that the blueberry farm should stay the way it is and be saved for the future.

Robert Cave, 1813 NE 24th St, Renton, WA 98056: Mr. Cave stated that there has never been a delineation done on the property. He encouraged the Planning Commission to recommend to Council to not rezone the blueberry farm. It is a special property and has been for a long time. Mr. Cave said that the Kenndale Creek is running about a gallon of water a minute. He does not feel that it is an intermittent creek. There was water there a week ago during the driest season ever.

John Cowan, 1830 NE 24th St, Renton, WA 98056: Mr. Cowan feels the that blueberry farm issue should be resolved by the end of the year but does not feel that there has been adequate time has been spent on the Upper Kenndale rezone to be done this year. He shared pictures of the blueberry farm and noted that there are a lot of blueberries even though it was the driest season of the year. The Kinzer's have done a nice job maintaining the farm. He encouraged the Commission to achieve one of their goals to maintain an agricultural base. Mr. Cowan is also in the rezone area and is surrounded on four sides by development. He does not feel it makes sense to rezone other properties.

Harry Kodis, 2619 Jones Ave NE, Renton, WA 98056: Mr. Kodis feels that the property owners are the most affected by the rezones and should be the ones that should make comments, not the general public. He feels that the change to R-4 will lower his property value, but not his taxes. Mr. Kodis has lived in the area for 30 years and said that the creek near the blueberry farm has never run dry.

Sue Larson-Kinzer, 1733 NE 20th St, Renton, WA 98056: Ms. Larson-Kinzer thanked the audience that have come in to make comments. She also feels that the blueberry farm is a special place. Because some of the Commissioners are new, she requested that the Commission receive all the correspondence that she has submitted from one year ago. She would like to sell to someone who would try to keep it as a blueberry farm and one parcel.

Staff will provide the Planning Commission with all the correspondence that has been received.

7. DELIBERATION/RECOMMENDATION: None

8. COMMISSIONER COMMENTS: Commissioner Cho thanked Ms. Larson-Kinzer for coming in. Commissioner Osborn was part of the decision making to save the farm as an agricultural use and looking forward to working with the community to see what can be done.

The next meeting is a public hearing to be held on September 20, 2006.

9. ADJOURNMENT: The Meeting was adjourned at 7:59 p.m.


Ray Giometti, Chair


Nancy Osborn, Secretary