

Monica Lusk

From: Monica Lusk
Sent: Wednesday, July 06, 2011 10:18 AM
To: 'Chestine Edgar'
Cc: Susan Coles; David Johanson
Subject: FW: agendas and packets for the City Council and the Planning Commission
Attachments: Work Docket for 2011-Lake Burien Land Use-CE.doc

Thank you for writing to the Burien City Council and Planning Commission. Your message will be included in the Correspondence for the Record for the July 11 City Council Meeting and transmitted to both the Council and the Planning Commission.

Monica Lusk
City Clerk

From: Chestine Edgar [mailto:c_edgar2@yahoo.com]
Sent: Wednesday, July 06, 2011 2:48 AM
To: Monica Lusk
Subject: agendas and packets for the City Council and the Planning Commission

Hello Monica,

We are requesting that this attached letter be included in both the Planning Commission and City Council packets and that it be sent to the respective members of these groups.

Sincerely,
Chestine Edgar
The Lake Burien Neighborhood

CFR = 07/11/11



To the Burien Planning Commission

To the Burien City Council

July 6, 2011

RE Item for the Comprehensive Plan Update-Land Use in the Lake Burien Neighborhood

To the Planning Commissioners and the City Council Members;

The Lake Burien Neighborhood(162 petitioners) have requested that the land use for the Lake Burien Neighborhood be placed on the Comprehensive Plan Update docket that will be occurring during the next year-2011. This is the appropriate time that neighborhoods and citizens have the right to request that land use in the city be reviewed. We asked for this at the last Planning Commission Meeting and were turned down based on an argument put forth by Mr. Helms-Planning Commissioner. Mr. Helms's position was that all critical areas in all neighborhoods should be treated equally and therefore should be reviewed when the Critical Areas Ordinance comes up for review-2014. Therefore the Lake Burien Neighborhood should be looked at only when the Critical Areas Ordinance comes up for review-2014. Strangely the City Staff did not clearly explain the flaw of this argument to Mr. Helms and the other Planning Commissioners. **These are the flaws** in that argument;

1. The Comprehensive Plan is the guiding document for Land Use in the city. The Critical Areas Ordinance does not set the policy for land use. Therefore land use issues and policies should be reviewed when the Comprehensive Plan comes up for review-right now.

2. Once the new Shoreline Master Plan (SMP) goes into effect, the Lake Burien and the shorelines around it will no longer be regulated by the Critical Areas Ordinance. It will be controlled by the Shoreline Master Plan and the Critical Areas Ordinance embedded in that plan. Therefore any review of the Critical Areas Ordinance in 2014 will not include the Lake Burien or a major portion of the surrounding neighborhood. And any Best Available Science Studies done for critical areas, 2014-in the city will not include Lake Burien.

3. We have requested that the city include a land use study in the new SMP and the city has flatly refused to do that claiming that the appropriate time for that is during a review of the Comprehensive Plan 2011-which is now.

4. Under the Growth Management Act, this is the appropriate time to ask for a land use study of the area and the Planning Commission is now claiming that this should happen during the Critical Areas Ordinance. The City Staff has clearly not communicated to the Planning Commissioners when land use policies should be examined and evaluated per citizen request during the Comprehensive Plan update.

5. Lake Burien and the surrounding shorelines are a one of a kind item in this city. Flatly there are no other freshwater lake shorelines in the City of Burien that have the kinds of critical areas that Lake Burien has. It cannot be looked at by Mr. Helms's invented standard of fairness that all neighborhoods that have critical areas be treated equally-as all of the critical areas in the city are not all equal and how these critical areas impact the neighborhood are not equal. That is not the standard set for critical area protection by the Growth Management Act.

CFTR:07/11/11

6. To suggest per the last vote of the Planning Commission, that the next available time that land use in the Lake Burien Neighborhood can be examined is in the year 2019 or 2020 is lunacy. The SMP and the Critical Areas Ordinances cannot be used as excuses for why land use is not being examined during the Comprehensive Plan. Also, they cannot be used as excuses for why the Best Available Science standard is not being employed for the protection of a shoreline with critical areas under land use policies.

Lake Burien is a shoreline with critical areas and as such warrants protection under the Growth Management Act. The 1997 Environmental Impact Statement (EIS)-which the city is still using for this Comp Plan Update-clearly states that the land use around Lake Burien is to be low density land use-the Preferred Model. None of the Addendums to this EIS have provided any studies, mitigations, significant changes in regulations or funding plan changes that have altered the 1997 EIS for the Lake Burien Neighborhood.

Also, we-the neighbors of the Lake Burien Neighborhood- believe that the City Staff has the responsibility to educate the City Council as well as the Planning Commissioners on the purposes, contents and roles of the respective plans that drive the City's policies and regulations. It is clear that not all of the Planning Commissioners or City Council members understand the how these documents are to be used and applied. Of course it remains the responsibility of the City Council and Planning Commissioners to at least read these documents and ask the appropriate questions of the staff. Staff has the responsibility to give honest, clear responses to questions. Under the Growth Management Act, responses should be given so that a citizen of normal intelligence is able to understand the answer or the written response. That is not the way that answers are currently being provided to the public in Burien. Frequently citizen requests are not even given the courtesy of a response by the staff, Council or Planning Commission.

In a response to the Puget Sound Regional Council-2005, the City of Burien argued that the neighborhoods west of Ambaum would remain low density due to their critical areas. The same land use standard should be applied to the Lake Burien Neighborhood following that logic.

Therefore, the Lake Burien Neighbors are requesting that the land use be examined for the Lake Burien Neighborhood-per its status as a shoreline with critical areas- and be included in this update to the Comp Plan and that this land use item be put on the work docket for the Comp Plan.

Sincerely,
Chestine Edgar and
The Lake Burien Neighborhood