

CITY OF BLACK DIAMOND
PLANNING COMMISSION
SPECIAL MEETING MINUTES
October 26, 2021, 6:00 PM
Zoom Virtual Meeting

FLAG SALUTE, CALL TO ORDER, and ROLL CALL:

Chair Olson called the meeting to order at 6:06 p.m.

Present: Chair/Commissioner John Olson
Commissioner Richard La Conte
Commissioner Jensen
Commissioner Syversen
Commissioner Pam McCain
Commissioner Felicia Wheatfall
Commissioner Dave Ambur

Staff: Community Development Director, Mona Davis
Sr. Planner, Joey Portmann
Contractor, Emily Adams
Deputy City Clerk, Carina Thornquist

Chair Olson turned the discussion over to Director Davis to make a comment on the items tonight and a change to one of the docket items. Director Davis stated that each item will be discussed and voted on individually. She reported that docket item #2021-02 which is for the Lawson Hills SE loop connector alternative, was withdrawn by the applicant. Director Davis received a letter today from them with notification of their decision withdrawing their Comp Plan Amendment.

APPROVAL OF MINUTES - None

PUBLIC COMMENTS –

- ❖ Geoff Bowie from Black Diamond
- ❖ Gary Kohl from Black Diamond
- ❖ Mario Banchero from Seattle
- ❖ Larry Banchero from Black Diamond
- ❖ Lori Banchero from Seattle
- ❖ Kristen Bryant from Bellevue

PUBLIC HEARINGS - None

STUDY/WORK SESSION - None

UNFINISHED BUSINESS –

Chair Olson turned it over to the Director of Community Development, Mona Davis. Ms. Davis introduced the City's contract planner, Emily Adams who will be running the PowerPoint presentation. Ms. Davis also introduced Joey Portmann, Sr. Planner for the City. She stated that between the three (3) of them, they should be able to answer any questions throughout the evening as we went through each docket item.

Director Davis felt it was important that she read a portion of the letter that she received from Oakpointe today to relay to the commissioners and the public that they requested this comprehensive plan amendment because they felt that transparency was extremely important with the citizens.

A SEPA Appeal was filed on the SEPA DNS for the 2021 Docket on October 20th. Unfortunately, this would delay staff's ability to present to City Council in early December. Hopefully, once the SEPA appeal process has concluded, the planning commission's recommendation will go before Council in the first half of 2022.

Three docket items will be delayed until 2022: #2021-04, #2021-05, and #2021-07 pertained to the housing and recreational elements. We need to complete the PROS Plan before we can address the Recreation element in the comprehensive plan and we're still waiting on the state's criteria to better know what will be required as part of the housing element update.

Commissioner McCain requested for Chair Olson to explain how the new format was going to work so everyone understood. He explained putting the motion to the floor before the debate would align with Roberts Rules of Order. After the debate there would be discussion, followed by the question, then the vote.

Inconsistency #1 – Parcels 1021069111, 1521069112, 1521069113, 152106-9114, 152106-9115, 152106-9110. Staff Recommendation: Revert all parcels to the 2009 FLUM designation of Business Park & Light Industrial and maintain current 2015 zoning of Business/Industrial Park.

Adoption of the motion to approve and recommend Inconsistency #1 as presented and to authorize staff to forward this recommendation to City Council on behalf of the Planning Commission.

Commissioner McCain **Motioned, Second** Commissioner Syversen.

Roll Call Vote: Commissioner LaConte - yes
Commissioner Jensen – yes
Commissioner Syversen - yes
Commissioner McCain – yes
Commissioner Wheatfall – no
Commissioner Ambur – yes
Commissioner Olson – yes

MOTION PASSED 6-1

Inconsistency #2 – Parcel 112106-9008. Staff Recommendation: Maintain the 2019 FLUM and current zoning map at this time due to rezone application in process.

Adoption of the Motion from Commissioner Syversen to revert back to the 2009 Future Land Use Designation of Business Park/Light Industrial (BP/LI) as it's currently designated Community Commercial on the 2019 FLUM. To authorize staff to forward this recommendation to City Council on behalf of the Planning Commission.

Commissioner Syversen **Motioned, Second** Commissioner Ambur

Roll Call Vote: Commissioner LaConte - yes
Commissioner Jensen – yes
Commissioner Syversen - yes
Commissioner McCain – no
Commissioner Wheatfall – no
Commissioner Ambur – yes
Commissioner Olson – no

MOTION PASSED 4-3

After thinking about it, Commissioner Jensen changed his mind and wanted to change his vote. Chair Olson advised the Commission that the person who changed their mind is the one who makes the motion.

Commissioner Jensen made a **Motion to Reconsider Motion #2, Second** Commissioner Wheatfall

Roll Call Vote: Commissioner LaConte - yes
Commissioner Jensen – yes
Commissioner Syversen - yes
Commissioner McCain – yes
Commissioner Wheatfall – yes
Commissioner Ambur – yes
Commissioner Olson – yes

MOTION PASSED 7-0

Re-vote on original motion Adoption of the Motion from Commissioner Syversen to revert back to the 2009 Future Land Use Designation of Business Park/Light Industrial (BP/LI) as it's currently designated Community Commercial on the 2019 FLUM. To authorize staff to forward this recommendation to City Council on behalf of the Planning Commission.

Commissioner Syversen **Motioned, Second** Commissioner Ambur

Roll Call Vote: Commissioner LaConte - yes
Commissioner Jensen – no
Commissioner Syversen - yes
Commissioner McCain – yes
Commissioner Wheatfall – no
Commissioner Ambur – yes
Commissioner Olson – no

MOTION PASSED 4-3

Inconsistency #3 – Parcel 102106-9010. Staff Recommendation: Rezone property to MDR8 to be consistent with the 2019 FLUM.

Adoption of the motion to approve and recommend Inconsistency #3 as presented and to authorize staff to forward this recommendation to City Council on behalf of the Planning Commission.

Commissioner McCain **Motioned, Second** Commissioner Jensen.

Roll Call Vote: Commissioner LaConte - no
Commissioner Jensen – yes
Commissioner Syversen - yes
Commissioner McCain – yes
Commissioner Wheatfall – yes
Commissioner Ambur – no
Commissioner Olson – no

MOTION PASSED: 4-3

Commissioner Syversen made a **Motion to Reconsider Motion #3, Second** Commissioner Amber. Vote, Motion passed 5-2 (McCain, Wheatfall)
Re-vote on Adoption of the motion to approve and recommend Inconsistency #3 as presented and to authorize staff to forward this recommendation to City Council on behalf of the Planning Commission.

Commissioner McCain **Motioned, Second** Commissioner Jensen.

Roll Call Vote: Commissioner LaConte - no
Commissioner Jensen – yes
Commissioner Syversen - no
Commissioner McCain – yes
Commissioner Wheatfall – yes
Commissioner Ambur – no
Commissioner Olson – no

MOTION FAILED 3-4

Inconsistency #4 Parcels 102106-9103 & 102106-9105. Staff Recommendation: Revert to 2009 FLUM map by designating the property Low Density Residential (R-4) and maintain current R-4 zoning.

Adoption of the motion to approve and recommend Inconsistency #4 as presented and to authorize staff to forward this recommendation to City Council on behalf of the Planning Commission.

Commissioner Ambur **Motioned, Second** Commissioner Syversen.

Roll Call Vote: Commissioner LaConte - yes
Commissioner Jensen – yes
Commissioner Syversen - yes
Commissioner McCain – yes
Commissioner Wheatfall – yes
Commissioner Ambur – yes
Commissioner Olson – yes

MOTION PASSED 7-0

Inconsistency #5 – Parcels 112106-9112, 112106-9113, 112106-9114, 112106-9020, 122106-9049. Staff Recommendation: Zoning remains Single-family Residential (R-4) and FLUM be amended to designate the properties Low Density Residential as previously shown in 2009.

Adoption of the motion to approve and recommend Inconsistency #5 as presented and to authorize staff to forward this recommendation to City Council on behalf of the Planning Commission.

Commissioner Wheatfall **Motioned, Second** Commissioner Syversen.

Roll Call Vote: Commissioner LaConte - yes
Commissioner Jensen – absent
Commissioner Syversen - yes
Commissioner McCain – yes
Commissioner Wheatfall – yes
Commissioner Ambur – yes
Commissioner Olson – yes

MOTION PASSED 6-0

Inconsistency #6 Parcel 132106-9012 Staff Recommendation: FLUM revert to the 2009 designation of Low Density Residential (R-4) and the zoning be changed to R4.

A motion to create a new comprehensive land use category called 'Forestry'.
Commissioner Syversen **Motioned, Second** Commissioner Ambur.

Roll Call Vote: Commissioner LaConte - no
Commissioner Jensen – absent
Commissioner Syversen - yes
Commissioner McCain – no
Commissioner Wheatfall – no
Commissioner Ambur – yes
Commissioner Olson – no

MOTION FAILED 2-4

Adoption of the motion to approve and recommend Inconsistency #6 as presented and to authorize staff to forward this recommendation to City Council on behalf of the Planning Commission.

Commissioner Wheatfall **Motioned, Second** Commissioner McCain.

Roll Call Vote: Commissioner LaConte - no
Commissioner Jensen – absent
Commissioner Syversen - no
Commissioner McCain – yes
Commissioner Wheatfall – yes
Commissioner Ambur – yes
Commissioner Olson – no

**TIED 3-3
MOTION FAILED**

Inconsistency #7 – Multiple parcels. Staff Recommendation: Amend FLUM map to designate parcels Community Commercial. No changes to zoning.

Adoption of the motion to approve and recommend Inconsistency #7 as presented and to authorize staff to forward this recommendation to City Council on behalf of the Planning Commission.

Commissioner Syversen **Motioned, Second** Commissioner LaConte.

Roll Call Vote: Commissioner LaConte - yes
Commissioner Jensen – absent
Commissioner Syversen - yes
Commissioner McCain – yes
Commissioner Wheatfall – yes
Commissioner Ambur – yes
Commissioner Olson – yes

MOTION PASSED 6-0

Consolidation #1 – Staff Recommendation: Maintain the 2019 FLUM designation and current zoning.

Adoption of the motion to approve and recommend Consolidation #1 as presented and to authorize staff to forward this recommendation to City Council on behalf of the Planning Commission.

Commissioner Ambur **Motioned, Second** Commissioner LaConte.

Roll Call Vote: Commissioner LaConte - yes
Commissioner Jensen – absent
Commissioner Syversen - abstain
Commissioner McCain – yes
Commissioner Wheatfall – yes
Commissioner Ambur – yes
Commissioner Olson – yes

MOTION PASSED 5-0-1

Consolidation #2 – Staff recommendation: Maintain the 2019 FLUM designation and current zoning.

Adoption of the motion to approve and recommend Consolidations #2 as presented and to authorize staff to forward this recommendation to City Council on behalf of the Planning Commission.

Commissioner Syversen **Motioned, Second** Commissioner Ambur. Vote.

MOTION PASSED 6-0

Consolidation #3 – Staff Recommendation: Maintain the 2019 FLUM designation and current zoning.

Adoption of the motion to approve and recommend Consolidations #3 as presented and to authorize staff to forward this recommendation to City Council on behalf of the Planning Commission.

Commissioner Syversen **Motioned, Second** Commissioner McCain. Vote.

MOTION PASSED 6-0

Consolidation #4 – Staff Recommendation: Maintain the 2019 FLUM designation and parcels not be zoned by the City as they are outside City jurisdiction.

Adoption of the motion to approve and recommend Consolidation #4 as presented and to authorize staff to forward this recommendation to City Council on behalf of the Planning Commission.

Commissioner McCain **Motioned, Second** Commissioner Wheatfall.

Roll Call Vote:

- Commissioner LaConte - yes
- Commissioner Jensen – absent
- Commissioner Syversen - yes
- Commissioner McCain – yes
- Commissioner Wheatfall – yes
- Commissioner Ambur – no
- Commissioner Olson – yes

MOTION PASSED 5-1

Scrivener's Error #1 – Staff Recommendation: Maintain the 2019 FLUM designation and current zoning.

Adoption of the motion to approve and recommend Scrivener's Error #1 as presented and to authorize staff to forward this recommendation to City Council on behalf of the Planning Commission.

Commissioner Ambur **Motioned, Second** Commissioner Syversen. Vote.

MOTION PASSED 6-0

Chair Olson asked if the commissioners wanted to take a brief recess. Commissioner Wheatfall noted that since the sense of urgency to pass these tonight has dissipated, she is interested in moving the remaining items to vote on until the next meeting on November 9, 2021.

Commissioner Wheatfall **Motioned, Second** Commissioner McCain.

Roll Call Vote:

Commissioner LaConte	- yes
Commissioner Jensen	– absent
Commissioner Syversen	- yes
Commissioner McCain	– yes
Commissioner Wheatfall	– yes
Commissioner Ambur	– yes
Commissioner Olson	– no

MOTION PASSED 5-1

Director Davis and Ms. Adams concluded that staff would walk through the format of the slides at the beginning of the next meeting for clarification.

UNFINISHED BUSINESS –

NEW BUSINESS – None

COMMUNITY DEVELOPMENT DEPARTMENT REPORT –

Director Davis briefly went over the next meeting's agenda. She had planned to bring the PROS Plan to the November meeting, but in light of needing to get through the docket recommendations, will hold off on that until December with a public hearing likely in January 2022.

PUBLIC COMMENTS –

Jeff Bowie from Black Diamond
Kristen Bryant from Bellevue
Henry Knies from Black Diamond

ADJOURNMENT –

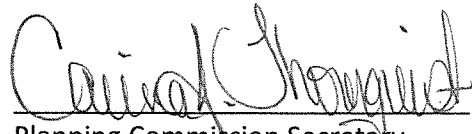
Commissioner McCain **Motioned** to adjourn the meeting. **Second** Commissioner Syverson. **Vote, Motion passed 6-0. The meeting ended at 8:26 p.m.**

These minutes were respectively recorded by Carina A. Thornquist, Deputy City Clerk

ATTEST:



John Olson, Chairperson



Planning Commission Secretary