

# **CITY OF SHORELINE**

## **SHORELINE CITY COUNCIL SUMMARY MINUTES OF BUSINESS MEETING**

Monday, December 2, 2013  
7:00 p.m.

Council Chambers - Shoreline City Hall  
17500 Midvale Avenue North

PRESENT: Mayor McGlashan, Deputy Mayor Eggen, and Councilmembers McConnell, Winstead, Salomon, and Roberts

ABSENT: Councilmember Hall

### 1. CALL TO ORDER

The meeting was called to order at 7:00 p.m. by Mayor McGlashan, who presided.

### 2. FLAG SALUTE/ROLL CALL

Mayor McGlashan led the flag salute. Upon roll call by the City Clerk, all Councilmembers were present, except for Councilmember Hall.

**Upon motion by Councilmember Winstead, seconded by Deputy Mayor Eggen, and carried 6-0, Councilmember Hall's absence was excused.**

### 3. REPORT OF THE CITY MANAGER

Debbie Tarry, Interim City Manager, provided reports and updates on various City meetings, projects and events.

Dick Deal, Parks, Recreation and Cultural Services Director, recognized and thanked Jeanie Powell, Nancy Short and Shelly Anderson, who are members of the committee that has been the synergy behind the Twin Ponds Community Garden and Giving Garden. He explained that the community garden was established a few years ago as a Healthy City Strategy, and highlighted some of the accomplishments of the program, noting that it would be expanded to include Sunset School Park next year.

Councilmembers expressed appreciation to members of Community Garden Committee for their good work. They indicated support for expanding the program not only to Sunset School Park, but to other areas of Shoreline as well. They felt it was a productive use of available open space and provides a significant benefit to the community.

#### 4. COUNCIL REPORTS

There were no Council reports.

#### 5. PUBLIC COMMENT

Shaun Kerins, Shoreline, said he was present to request the Council repeal Ordinance 654, which established a zero front setback for commercial zone transition areas. To support his request, he specifically referred to LU Goal 5 and 7 and CD Goal 4. He reminded the Council that they directed the Planning Commission to study the issue based on the Town Center plan, which was adopted following an extensive public process. The Planning Commission recommended a 15-foot setback requirement.

Karen Toliver, Shoreline, said she has been a resident of the Richmond Highlands neighborhood for 57 years. She expressed concern that a zero setback would not only be aesthetically unpleasing, it would threaten her property value and create more traffic that will devastate the things she enjoys. She urged the Council to go back to the 15-foot setback.

Diane Pottinger, Manager, Shoreline Water District, said it is an honor to represent the district and the Shoreline and Lake Forest Park communities at the State level by serving on the Public Works Board, which consists of 13 members from counties, cities, special purpose districts and the general public. She reported that the Board recently had a retreat to discuss how to improve the public works funding program to help build a stronger infrastructure program and answer specific questions the legislature asked in their 2013 session. She shared a brief history of the Board, as well as some of its accomplishments.

Mike Bachety, Shoreline, expressed opposition to the Council's decision to reduce the setback in transition areas from 15 feet to zero. He particularly voiced concern that the change was made to specifically address the proposed Ronald Commons project. Although the developer indicated the project would only be feasible with zero setbacks, he suggested the project could be located on other properties along Aurora Avenue North that are also close to transit, shopping and other services. He expressed concern over building size and the deceptive way the setback issue evolved over the past year.

Robin McClelland, Shoreline, submitted written comments and a photograph for the record. She advised that at a recent meeting of the Richmond Highlands Neighborhood Association, it was reported that a zero setback had been adopted. She expressed her belief that neighborhoods are the City's most important asset. Transition areas that separate single-family residential zones from higher densities should be primarily concerned with the impact on the existing neighborhood, and no neighborhood should be made to feel threatened or undervalued in the name of progress. She suggested the City consider creating a streetscape plan for the entire eastern side of Linden Avenue, with an eye towards creating a transition to the single-family residential neighborhood. She concluded her remarks by saying that she supports going back to the 15-foot setback.

Michelle Dotch, Edmonds, said she has an office and owns the property at 17900 Linden Avenue North and was present to speak against the Council's recent decision to establish a zero setback. She noted that a zero setback could result in seven-story buildings, with three stories directly abutting the street and the remaining stories would require a minimal step back. She expressed concern that if properties adjacent to hers are redeveloped like this, her building would be dwarfed and unseen. She asked the Council to listen to the Planning Commission's recommendation and restore the 15-foot setback.

Lisa Surowiec, Shoreline, commented that transition area setback requirements are a citywide issue that will impact numerous neighborhoods. She emphasized that transition zones are intended to provide a transition between residential and commercial development and urged the Council to go back to the 15-foot setback.

Boni Biery, Shoreline, reminded the Council that the Planning Commission spent a lot of time working with staff and citizens to create the code that provided a 15-foot setback. She recalled that citizens were repeatedly told that the code was meant to be uniform and apply equally citywide, with no exceptions. That being the case, she questioned why the Council approved an exception for commercial development. She asked them to reconsider the Planning Commission's recommendation and restore the 15-foot setback.

#### 6. APPROVAL OF THE AGENDA

**Upon motion by Councilmember Winstead, seconded by Councilmember Roberts and carried unanimously, the agenda was approved.**

The Council agreed to place the Discussion of Transition Area Amendments (Item 9a) before the action items (Item 8).

#### 7. CONSENT CALENDAR

**Upon motion by Councilmember McConnell, seconded by Councilmember Roberts and unanimously carried, the following Consent Calendar items were approved:**

- (a) Minutes of Special Meeting of November 18, 2013**
- (b) Approval of Contract for State Legislative Consultant**
- (c) Approval of Contract for Federal Legislative Consultant**
- (d) Adoption of Resolution Number 352 Updating the Transportation Master Plan**

#### 8. STUDY ITEMS

- (a) Discussion of Transition Area Amendments

Ms. Tarry explained that the purpose of this study item is to discuss the reconsideration of a portion of Ordinance Number 654 pertaining to building setbacks in all commercial zones in transition areas when located across the street from R-4, R-6 and R-8 zones.

Paul Cohen, Planning Manager, provided a brief history of Ordinance Number 654, particularly the issue of transition area setbacks. He reviewed a diagram showing a comparison of how the zero and 15-foot setbacks would be applied to commercial properties located across the street from single-family residential zones. He also reviewed a map to illustrate the location of the approximately 85 properties throughout the City that would be impacted by the transition area zoning.

Mr. Cohen advised that citizens raised concerns about incompatible land uses and the view of building bulk. However, most comments were directed towards the proposed Ronald Commons project, which was recently issued a binding site plan approval that vests the development. The site plan approval is currently under appeal.

Mr. Cohen shared the results of staff's research regarding the effects of different setbacks on the single-family neighborhoods across the street and the development potential of the commercial property, as well as their research on how other cities handle the issue. He also shared the results of staff's research into whether or not right-of-way (ROW) width could be a factor in the impact of setbacks in transition areas. He suggested Council consider an alternative that would allow building setbacks to be reduced along ROW greater than 60 feet in width, and the simplest reduction would be a 1:1 ratio with a 1-foot setback reduction from 15 feet for every 1 foot of ROW width over 60 feet down to 0 feet at the back of a sidewalk or property line. He described the code changes that would be needed to implement the alternative approach and said staff believes it would be easy to administer. He recommended that the Council either maintain the existing 0-foot setback as adopted by Ordinance Number 654 or direct staff to prepare an ordinance to amend the Development Code for adoption on January 6, 2014.

It was noted that the Council received numerous written comments expressing opposition to the zero setback and that the Planning Commission voted unanimously to recommend the setback be changed back to 15 feet. They discussed that this is a situation where the City's goals and policies for economic development conflict with its goals and policies for preserving single-family neighborhoods. They agreed that economic development is important, but not at the expense of the neighborhoods and the quality of life of the City's residents.

Councilmembers recalled the Planning Commission went through a lengthy public process before reaching a consensus to recommend a 15-foot setback. They have more expertise and time to consider land-use issues, and some Councilmembers felt it was a mistake to overrule their recommendation. It was discussed that it is important to keep the faith of the community, and most felt the best approach would be to revert back to a 15-foot setback requirement in order to provide the utmost predictability to the community. However, there was also some discussion that a one-size-fits-all approach may not work because every neighborhood is different and has unique needs. Councilmembers also expressed an interest in pursuing the alternative presented by staff, in which the setback requirement would be based on ROW width, as well as Ms. McClelland's suggestion that the City create streetscape plans for entire streets where transition is an issue.

Councilmembers discussed that if a 15-foot setback is established for transition zones, a zoning variance would be required if an applicant wants to develop closer to the right-of-way. Mr.

Cohen explained that the variance process is lengthy and costly and specific criteria must be met. In particular, an applicant must demonstrate a hardship that warrants the variance.

A question was raised about how many of the single-family residential properties effected by the transition zone requirements are located on arterial streets. Mr. Cohen explained that most of the streets are arterials, but the actual ROW width is probably more important than the label when considering adequate separation in transition areas. It was asked if street definitions are defined in the Shoreline Municipal Code (SMC), and Alicia McIntire, Senior Transportation Planner, answered that the definitions are included in the SMP via a reference to the Transportation Master Plan. In an effort to address the concerns raised by citizens, staff and Council, a recommendation was put forward that a 15-foot setback be established for all transition areas, except those located on principal arterials (15<sup>th</sup> Avenue, Aurora Avenue North, Westminster, and Ballinger Way).

Councilmembers ultimately directed staff to prepare an ordinance that reestablishes the 15-foot setback requirement for commercial properties located across the street from single-family zones. In the meantime, staff would consider alternative language that excludes principle arterials from the setback requirement and provide more information to Council prior to the January 6<sup>th</sup> meeting on what streets would be excluded. It was emphasized that amendments to the draft ordinance should be submitted to staff ahead of time.

## 9. ACTION ITEMS

### (a) Adoption of 2014 Legislative Priorities

Ms. Tarry provided introductory comments, noting that Council met in a dinner meeting with Representative Ryu, Representative Kagi and Senator Chase.

Scott MacColl, Intergovernmental Relations Manager, provided a recap of the Council's November 4<sup>th</sup> dinner meeting discussion at which they identified the following legislative priorities for the City of Shoreline:

- Advocate for local transportation funding options, including restoration of the Local Option Motor Vehicle Excise Tax, an increase in the Councilmanic Transportation Benefit District (TBD) Authority, and an increase in the Statewide Gas Tax.
- Support legislation to maintain cities' ability to assume water/sewer districts without a vote.
- Support restoration of Local Government Funding Options, including revising the 1% Property Tax Limitation, Restoring the Public Works Trust Fund, and restoring all liquor revenues and designate cities share of marijuana revenues to address local impacts.
- Support clarification of state laws regarding medical marijuana vs. recreational marijuana.
- Support Compass Housing Alliance's and Hopelink's Capital Budget request for funding of the Ronald Commons Project in Shoreline.

**Councilmember Winstead moved to adopt the 2014 State Legislative Priorities. Councilmember Salomon seconded the motion.**

A question was raised about how Council would handle the separate list of legislative items that were identified during the December 2<sup>nd</sup> dinner meeting with State representatives. Mr. MacColl agreed to send out a list of the items discussed at the dinner meeting and invited Councilmembers to provide feedback. Based on this feedback, a supplemental list could be prepared to identify additional items Council would like to advocate for. He emphasized that the Council can change or set new priorities as the Legislative session moves forward.

**The motion carried 6-0.**

(b) Council Direction on King County Metro Guiding Principles to Inform Cuts

Alicia McIntire, Senior Transportation Planner, reviewed the Staff Report, which outlines King County Metro's proposed service cuts. She noted that an extensive public process is currently underway, and Metro staff will be present at Council's January 13<sup>th</sup> meeting to discuss the proposed cuts in more detail. She advised that the purpose of tonight's discussion is to provide direction to Councilmember Roberts, who represents the City on the Sound Cities Association's (SCA) Public Issues Committee, about whether to approve or modify the set of draft principles prepared by the committee in response to the proposed cuts.

Ms. McIntire clarified that the purpose of the principles is to express a common understanding about the process and outcome of the proposed cuts, and they will not be used to develop a service cut proposal. Metro already has an established set of service guidelines in place that were used to develop the proposal, and the draft principles are not likely to result in changes. She expressed her belief that, in general, the draft principles are in line with Metro's plans.

**Deputy Mayor Eggen moved the Council request Councilmember Roberts to approve the Sound Cities Association's Guiding Principles Regarding Metro's Transit Service Cut Proposal as written. Councilmember Winstead seconded the motion.**

Councilmembers noted a concern about comments contained in the SCA's draft guiding principles regarding geographic equity. They discussed that it was a long process to get the SCA to agree to the draft principles, and they do not want to reignite the debate at this point. It was emphasized that the statement regarding geographic equity was a general comment to remember the importance of geographical equity in the process, and not a request to change the proposal.

**The motion carried 6-0.**

10. ADJOURNMENT

At 9:06 p.m., Mayor McGlashan declared the meeting adjourned.

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Jessica Simulcik Smith, City Clerk