

CITY OF SHORELINE
SHORELINE CITY COUNCIL
SUMMARY MINUTES OF REGULAR MEETING

Monday, August 8, 2016
7:00 p.m.

Council Chambers - Shoreline City Hall
17500 Midvale Avenue North

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

ABSENT: None

1. CALL TO ORDER

At 7:00 p.m., the meeting was called to order by Mayor Roberts who presided.

2. FLAG SALUTE/ROLL CALL

Mayor Roberts led the flag salute. Upon roll call by the City Clerk, all Councilmembers were present.

(a) Celebrate Shoreline Proclamation

Mayor Roberts read a proclamation declaring August 11-21, 2016 as Celebrate Shoreline. He said the proclamation commemorates the City's incorporation and is being presented to the citizens of Shoreline. The City Council accepted the proclamation on behalf of the City.

3. REPORT OF CITY MANAGER

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

4. COUNCIL REPORTS

There were no Council Reports.

5. PUBLIC COMMENT

Kim Lancaster, Shoreline resident, encouraged the Council to use the City's surplus property for affordable housing and build tiny houses for the homeless. She also announced the homeless family that lived in her backyard found housing.

Mimi Hudson, Shoreline resident, encouraged Council to use the City's surplus property for affordable housing.

Barbara Wulff, Shoreline resident, advocated for the City's surplus property to be used for affordable housing and housing for the homeless. She reminded Council of the homeless youth and school age children in the community.

Lois Harrison, Shoreline resident, commented that buying or renting a home in Shoreline is nearly impossible for homeless people. She described the homeless people she has encountered through her work at Mary's Place and United We Stand Tent City. She said homeless people are in Shoreline and are represented in King County's One Night Count and the Shoreline's School District homeless count. She urged Council to use the property at 198th for the homeless.

Cindy Dittbrenner, Shoreline resident, said she submitted a Development Code Amendment application to amend the Assessor Dwelling Unit (ADU) Code for inclusion in the 2016 Amendments. She referenced a study completed by the City of Seattle recommending incentivizing ADU's to assist with housing shortages. She requested that the owner occupancy requirement in Shoreline's Development Code be removed, and said it will provide other living options for people to live in a single family neighborhood.

Lynn Cheeney, Director of North City Jazz Walk, thanked the City for supporting the event. She announced that the Jazz Walk is Thursday, August 16, 2016 from 6:30 to 10:15 p.m.

Thomas Jefferson Read, Shoreline resident, requested that a stop sign be installed at the intersection of 14th Avenue NE and Forest Park Drive. He expressed disappointment in how he was treated by staff. He referenced a handout citing federal stop signs law.

Ms. Tarry explained that there is not a deadline for Development Code Amendments, but said time is needed for staff analysis and preparation. She shared that Council would need to decide if they want to pursue an amendment to the ADU Code. Ms. Tarry also stated that Mr. Read has spoken with Kendra Dedinsky, City Traffic Engineer, and Alex Herzog, CMO Management Analyst. She said signs that say "no parking" have been ordered to address sight line visibility, and that staff is also looking into yield signs and vegetation management for the intersection at 14th Avenue NE and Forest Park Drive.

6. APPROVAL OF THE AGENDA

The agenda was approved by unanimous consent.

7. CONSENT CALENDAR

Upon motion by Councilmember Hall and seconded by Councilmember McGlashan and unanimously carried, 7-0, the following Consent Calendar items were approved:

(a) Minutes of Special Meeting of July 11, 2016, Regular Meeting of July 25, 2016, and Special Meeting of July 25, 2016

(b) Approval of expenses and payroll as of July 22, 2016 in the amount of \$2,953,392.30

***Payroll and Benefits:**

Payroll Period	Payment Date	EFT Numbers (EF)	Payroll Checks (PR)	Benefit Checks (AP)	Amount Paid
5/8/16-5/21/16	5/27/2016	(Total previously overstated due to computer error)			(\$5,779.98)
6/19/16-7/2/16	7/8/2016	67016-67238	14416-14464	63964-63969	\$531,724.98
					<u>\$525,945.00</u>

***Accounts Payable Claims:**

Expense Register Dated	Check Number (Begin)	Check Number (End)	Amount Paid
7/13/2016	63912	63921	\$53,757.57
7/13/2016	63922	63942	\$43,627.88
7/13/2016	63943	63963	\$390,678.62
7/13/2016	61447	61447	(\$493.76)
7/20/2016	63970	63970	\$1,400,030.00
7/20/2016	63971	63972	\$72,012.75
7/21/2016	63973	63995	\$363,394.17
7/21/2016	63996	64004	\$60,129.12
7/21/2016	64005	64030	\$42,226.13
7/21/2016	64031	64036	\$2,084.82
			<u>\$2,427,447.30</u>

(c) Adoption Resolution No. 392 Rejecting All Bids for the 15th Avenue NE Pavement Preservation Project - NE 148th Street to NE 155th Street and Authorizing the Public Works Director to Make Further Calls for Bids in the Same Manner as the Original Call

8. ACTION ITEMS

- (a) Adoption of Res. No. 393 - Stating the City Council's Support for "Sound Transit (A Regional Transit Authority) Light-Rail, Commuter-Rail, and Bus Service Expansion Proposition No. 1

Scott MacColl, Intergovernmental Program Manager, provided background on the Sound Transit 3 (ST3) Package. He displayed a map of the entire ST3 Plan, and said this is the first time Bus Rapid Transit is being included. He shared that Shoreline projects include State Route 522/NE 145th Street Bus Rapid Transit, and the connection of 145th Street Light Rail Station with Lake Forest Park, Kenmore, Bothell, I-405 and Woodinville. He then reviewed potential bus connection routes. He shared that Resolution No. 393 would declare the Council's formal support of the ST3 Ballot measure.

Mayor Roberts opened the Public Comment Period.

Forest Taylor, Shoreline resident, said he attends the University of Washington, does not own a car, and uses public transportation to get to school. He said he is an advocate for the Light Rail extension and bus expansion. He urged Council to support the ST3 Package.

Councilmember Hall moved adoption of Resolution No. 393. The motion was seconded by Councilmember McConnell.

Councilmember Hall stated that ST3 will help accommodate the growth expected in the region. He said it is expensive, but is it important to get people around the region, and it will benefit the community.

Councilmember Salomon urged support of the Resolution and noted that other major cities have well-built light rail or subway systems. He pointed out that the region is expected to grow, and the system is needed to help alleviate traffic congestion and get people around the region.

The motion passed unanimously, 7-0.

(b) Adoption of Emergency Ordinance No. 754 Instituting a Temporary
Moratorium on New Self-Service Storage Facilities in the City of Shoreline

Rachael Markle, Planning & Community Development Director, said the moratorium on self-service storage facilities should be enacted because the Shoreline Municipal Code does not clearly address where storage facilities are permitted; use tables need to be updated to reflect adopted plans, goals and polices; and there has been a dramatic increase in self-service storage facilities. She explained how the facilities are currently regulated. She shared that there are five (5) existing facilities, two (2) vested permits for new facilities, and six (6) facilities have been proposed in the last 6-8 months. She presented the following three Alternatives for Council's consideration:

1. Adopt a city-wide moratorium on the acceptance of all permit applications for self-service storage facilities; or
2. Adopt a city-wide moratorium on the acceptance of all permit application for self-service storage facilities except from those proponents who have been issued an Unlisted Use Code Interpretation finding that their site location is acceptable but they have not filed a complete building permit application; or
3. Continue to evaluate on a case by case basis using the Unlisted Use process whether proposed self-service storage facilities are permitted in all zones.

Ms. Markle said staff recommends Alternative 1.

Mayor Roberts opened the Public Comment Period.

Randall Olsen, Cairncross & Hempelman Land Use Attorney, said he is here on behalf of the Sherry Development Company. He said there is not an emergency that justifies a moratorium. He recommended if Council moves forward with the moratorium that Alternative 2 be adopted so that projects that have received written confirmation from the City that they are permitted can move forward. He shared some of the communication the applicant has had with the City and why Mr. Sherry's project should be allowed to proceed.

Mark Thygesen, Jones Lang Lassalle Real Estate Broker and 15th Avenue property owner, said he has tried to sell the property for multi-family and retail use, and stated the property is not situated for those uses. He shared more self-storage is needed in Shoreline, that he opposes the moratorium, and said if Council moves forward with a moratorium it should be with Alternative 2.

Michael Sherry, President of Sherry Development Company, said they have been planning the project at 14553 Bothell Way NE for over 8 months and have been in contact with the City throughout the process. He said there is not an emergency and they have been following the rules to proceed with this project. He said the emergency should have been identified with the adoption of the Comprehensive Plan. He spoke about due process, and commented that if the City proceeds with a moratorium it should be with Alternative 2.

Holly Golden, Hillis Clark Martin & Peterson Land Use Attorney, said she represents the 19237 Aurora Avenue property owner. She echoed the comments that this is not an emergency. She asked Council to not pass the moratorium, and if they do, that it be Alternative 2, or with an amendment carved out for this unique site. She shared the communication the applicant has had with the City and explained why the project should be allowed to proceed.

Scott Roberts, Lake Union Partners and Developer of the property at 19237 Aurora Avenue, explained what it took to put the project together, why preconstruction meetings with the City are important, and said a lot of time and money is involved. He explained the quality of the project, and asked Council if they adopt a moratorium to go with Alternative 2.

Joe Ferguson, Shoreline resident and Lake Union Partners, commented that the City is flip flopping and presenting a red flag to businesses. He spoke about the City's goal of a livable city and expressed concern regarding the stability of future investments. He said they have worked with the City for eight months, received notification approving the use, and shared it is a \$2 million dollar investment. He listed the property's characteristics and said a storage facility is the highest and best use for this site. He urged Council not to approve the Ordinance.

Rodger Ricks, Developer, shared he wants to build a storage facility at 20029 19th Avenue N, and that the property has been vacant for a long time. He said there are no self-storage facilities in Lake Forest Park, Brier, or on the eastside of Mountlake Terrace. He described the facility, shared why it a good location for a storage facility, and said the facility is at neighborhood scale.

Tom Dillon, Redmond resident, questioned the level of concern for building new self-storage facilities in Shoreline, and said a new facility has not been built since 2005. He said there are now more apartments, existing facilities are operating at full capacity, and there is consumer demand. He described the new facilities and said there will be adverse financial impacts if the moratorium is implemented.

John Limantzakis, 147th and Bothell Way property owner, explained the property's limitations, and said he has worked a long time and with great expense to prepare the property. He urged Council to vote for Alternative 2.

Councilmember McConnell moved that Council waive Council Rule 3.5B, requiring a second reading of an ordinance and adopt Ordinance No. 754, enacting a six (6) month moratorium on the acceptance of all applications for self-service storage facilities including the following additions:

Add two additional Whereas clauses to the Ordinance:

WHEREAS, recognizing the investment the proponent has made to date in the proposed project, this moratorium is not intended to apply to the six (6) proposed self-service storage projects for which the Director of Planning & Community Development has issued a Code Interpretation finding the location of the project is acceptable for use as a self-service storage facility but, as of the date of this moratorium, have not submitted a complete building permit application; and

WHEREAS, the six (6) proposed projects are referenced by the following Administrative Interpretation file numbers: 302142 (19237 Aurora Ave N), 302156 (20029 - 19th Ave NE), 302157 (14553 Bothell Way NE), 302164 (17000 Aurora Ave N), 302165 (19022 Aurora Ave N), and 302166 (17703 - 15th Ave NE).

And, add an additional line to the end of Section 1 of the Ordinance:

This moratorium does not apply to the six (6) proposed self-service storage projects for which a code interpretation has been issued by the Director of Planning and Community Development accepting the proposed location. These proposed projects are referenced by Administrative Interpretation file numbers: 302142 (19237 Aurora Ave N), 302156 (20029 - 19th Ave NE), 302157 (14553 Bothell Way NE), 302164 (17000 Aurora Ave N), 302165 (19022 Aurora Ave N), and 302166 (17703 - 15th Ave NE).

The motion was seconded by Councilmember Scully.

Councilmember McConnell said the City needs to be predictable with development and accountable for what they tell business owners. She stated that self-storage space is probably limited in Shoreline. She asked if the public process will continue during the moratorium and stressed that a lot of money has been invested in the projects. Ms. Markle responded that the public process will continue during the moratorium, and Mayor Roberts pointed out that a Public Hearing is required within 60 days after the adoption of a moratorium.

Councilmember Scully moved to amend the main motion to remove the two additional “Whereas” clauses and the additional line to the end of Section 1 of the Ordinance. The motion was seconded by Deputy Mayor Winstead.

Councilmember Scully commented on Washington State’s permit application vesting rules, and said this motion will apply vesting rules even more liberally. He said although he is sympathetic to the applicants, that the Shoreline Municipal Code needs to be updated to include self-storage facilities, and the six month moratorium is needed to determine what is best for the City.

Deputy Mayor Winstead agreed with Councilmember Scully and talked about the financial investments made to the Aurora Corridor and the City. She said the moratorium is to ensure that the City is growing the right way and how citizens want it to grow.

Councilmember McGlashan pointed out the current storage facilities in Shoreline, said there is now a potential for thirteen and it is hard to believe that many are needed. He shared that the moratorium will allow the City to identify where the facilities should be located and determine how they fit in the City's economic development goals. He stated support for Alternative 1.

Councilmember Salomon asked if storage facilities are the highest and best use for the properties identified by the speakers. Margaret King, City Attorney, responded that the moratorium will allow the Planning & Community Development Director to make that determination, and added that Council can also adopt interim regulations. Councilmember Salomon requested additional information on how the projects will look and fit in with the residential neighborhoods. He said he hopes the moratorium can be as short as possible. He asked how the projects would impact the city revenue funds and what the purpose of the Public Hearing is. Ms. Markle responded the projects would pay traffic impact fees. Ms. King responded that state law requires an opportunity for public comment.

Councilmember Hall agreed with Councilmember Scully regarding vesting regulations and expressed concern with having too many storage facilities in Shoreline. He said he was not aware of staff's authority regarding code interpretation, and the moratorium allows for more research to be done.

The motion to amend the main motion passed 6-1, with Councilmember McConnell voting no.

The main motion as amended passed 6-1, with Councilmember McConnell voting no.

9. STUDY ITEMS

(a) Discussion of Use and Surplus of Real Property

Dan Eernisse, Economic Development Manager, provided an overview of City owned surplus property acquired as part of improvements to the Aurora Corridor. He said the three options to deal with the property are to sell, lease, or repurpose them. He described the properties located at 185th, 195th, and 198th, and pointed them out on a map. He said staff is recommending designating the 185th and 195th properties as "pocket" parks in the Parks, Recreation, and Open Space (PROS) Plan Update, and leasing the 198th property to a third party with a preference given to non-profit or governmental providers of affordable housing.

Councilmember McGlashan commented that a park is the best use for the 185th and 195th properties. He said he supports staff's recommendation, and focusing on low income housing for the people of Shoreline.

Deputy Mayor Winstead said she support leasing the property at 198th for affordable housing. She shared that pocket parks are not the best use of space. She said the parcels are too small and

are not in desirable locations. She spoke about maintenance obligations and costs. Mr. Eernisse said there is a misconception that all parks are used by pedestrians, and shared that there is value in providing a green space for motorists and riders. Eric Friedli, Parks, Recreation and Cultural Services (PRCS) Director, commented that a 40-year development outcome would have treasured green spaces. He said as Aurora Avenue gets denser, pocket parks will preserve green space.

Councilmember Hall commented that he likes the idea of 185th and 195th as parks, open space, or a place to plant large trees, and be managed by the PRCS Department. He said he supports using the property at 198th for affordable housing.

Councilmember Salomon said he supports designating 198th for affordable housing, and encouraged staff to look for more opportunities to do that. He expressed concern about the potential for crime in parks on Aurora, and said if the properties are used for parks that they need to have open sight lines.

Councilmember Scully agreed with using the property at 198th for affordable housing. He expressed that the other two locations are not good for parks and said he would not like to see the PRCS Budget dedicated to the 185th and 195th locations.

Councilmember McConnell said she would like to see government affordable housing take on the project at 198th, like the Department of Housing and Urban Development (HUD) that serves really low income people.

Mayor Roberts asked how large a parcel must be to provide park amenities, like a playground or splash park. Mr. Friedli responded that any size parcel will serve a fountain; but said a splash pad would need to be much larger than these two parcels. Mayor Roberts said Council needs to make sure that designating these parcels as parks do not have unintended consequences for future business development. He said he supports using the 198th property for affordable housing and asked if the Shoreline Municipal Code allows a 99-year property lease.

Deputy Mayor Winstead asked if the properties needed to be designated as Parks now, and said she is in favor of holding on to the parcels. Mr. Eernisse answered there are no time constraints.

Councilmember McGlashan asked staff to continue to pursue the land swap possibility at 185th.

Ms. Tarry confirmed that staff will contact King County regarding affordable housing opportunities for the 198th property and said as the PROS Plan moves forward, the 185th and 195th properties can continue to be evaluated.

10. ADJOURNMENT

At 9:15 p.m., Mayor Roberts declared the meeting adjourned.

Jessica Simulcik Smith, City Clerk