

CITY OF SHORELINE
SHORELINE CITY COUNCIL
SUMMARY MINUTES OF REGULAR MEETING

Monday, August 5, 2019
7:00 p.m.

Council Chambers - Shoreline City Hall
17500 Midvale Avenue North

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

ABSENT: Councilmember Robertson

1. CALL TO ORDER

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

2. FLAG SALUTE/ROLL CALL

Mayor Hall led the flag salute. Upon roll call by the City Clerk, all Councilmembers were present with the exception of Councilmember Robertson. Councilmember Scully moved to excuse Councilmember Robertson for personal reasons. The motion was seconded by Councilmember McConnell and passed unanimously, 6-0.

(a) Proclaiming National Night Out Against Crime

Mayor Hall proclaimed August 6, 2019, as National Night Out in Shoreline. The proclamation was accepted by Shawn Ledford, Police Chief, who thanked the Council and community for the support of public safety.

3. REPORT OF CITY MANAGER

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

4. COUNCIL REPORTS

Councilmember McGlashan said that he and Councilmember McConnell attended the SeaShore Transportation meeting where Metro reported on the North Link Mobility Project and upcoming service restructuring. Councilmember Chang added that there are a number of bus routes that could potentially be affected by the restructuring and she directed community members to the Metro website to give feedback during the outreach period. Deputy Mayor McConnell shared details on the plans for bus route reallocations and her involvement in outreach.

Mayor Hall informed Councilmembers that on August 12, 2019 the Council is scheduled to consider Resolution No. 442, which is proposed to express the City's opposition to Initiative-976. He said that while noticing of Public Hearing was provided in a timely manner, there was a typographical error in the number of the noticed Initiative. He said that a correction to the notice has been issued and suggested that it would be appropriate to waive Council Rule 5.10, allowing the corrected notice to be published for less than the standard ten days. Councilmembers unanimously agreed to waive Council Rule 5.10 for this Public Hearing Notice.

5. PUBLIC COMMENT

Robert Doran, Carlsbad, California resident and Director of Development and Construction with Retail Opportunity Investments Corporation (ROIC), spoke regarding the Shoreline Place study item. He updated the Council on the planning progress. He said that ROIC recently met with Merlone Geier Partners and while ROIC still has concerns with some issues of the proposal they are hopeful to come to a resolution soon.

Juliet Scarpa, Shoreline resident and representative of Moms Demand Action, said that along with those in attendance with her, she supports the proposed Gun Violence Prevention Resolution No. 444. She shared information on the epidemic of gun violence and the regional voting outcomes in support of common sense solutions to gun violence. She urged the Council to authorize the Resolution.

6. APPROVAL OF THE AGENDA

Councilmember Roberts moved to amend the agenda to add Resolution No. 444 Regarding Gun Violence and Gun Control Legislation as Action Item 8a. The motion was seconded by Councilmember Chang.

Councilmember Roberts said that it is important for Council to discuss and act on policies that support the safety of Shoreline residents. Councilmember Scully said although he is aware of some concerns with process on this amendment, he supports adding it to the agenda. He observed that it is natural to want to act quickly in response to current tragedies and said that since there is momentum, it should be used. Councilmember McGlashan said he is concerned that the public is not aware that this is before the Council. He said he would like to see it communicated prior to decision making. Councilmember Chang said she supports the Resolution, and the statistics indicate that the majority of voters do, as well. Deputy Mayor McConnell thanked Councilmember Roberts for his work on the proposed Resolution. She said it is important to seize the moment.

Mayor Hall asked Councilmembers to consider deferring this decision until the August 12, 2019 meeting. He recognized the tragedy of the recent shootings but asked for Council to consider transparency and fairness of public process. He said Council meeting agendas are published a week in advance to give all community members the opportunity to weigh in. He said for the reason of providing an opportunity for all to be heard on any issue, he will be voting against adding Resolution No. 444 tonight, and that instead he hopes it will be added to next week's agenda.

The amendment was approved by a vote of 4-2, with Mayor Hall and Councilmember McGlashan voting against.

The amended agenda was approved by unanimous consent, 6-0.

7. CONSENT CALENDAR

Upon motion by Councilmember McGlashan and seconded by Councilmember Roberts and unanimously carried, 6-0, the following Consent Calendar items were approved:

- (a) Approving Minutes of Regular Meeting of June 24, 2019
Approving Minutes of Regular Meeting of July 15, 2019**
- (b) Authorizing the City Manager to Execute a Professional Services Contract with Brown and Caldwell for System Capacity Modeling Plan Development in an Amount Not to Exceed \$316,306**
- (c) Authorizing the City Manager to Execute Interagency Agreement No. C2000032 with the Washington State Department of Ecology for Participation in the 2019-2021 Local Source Control Partnership**

8. ACTION ITEMS

- (a) Discussing and Potential Adoption of Resolution No. 444 Regarding Gun Violence and Gun Control Legislation**

Mayor Hall stated that the materials were provided to Councilmembers at the dais and confirmed that there is not a staff presentation in conjunction with the written report. The City Clerk made copies of the report available to those in attendance. Mayor Hall opened the floor for public comment.

Nara Kim, Shoreline resident and Shorewood student, shared a personal story on the impact of the prevalence of gun violence on youth and statistics on deaths and injuries as a result of gun violence. She asked the Council to adopt Resolution No. 444.

Deputy Mayor McConnell moved to approve Resolution No. 444. The motion was seconded by Councilmember Roberts.

Deputy Mayor McConnell thanked Councilmember Roberts for drafting the Resolution and the staff for the last minute work on preparation. She said it is important for Shoreline residents to know the City wants to keep them safe.

Councilmember Roberts said it is sad that a resolution such as this has to be considered, and disappointing that there has not been federal action. He said that on behalf of the City the Council has voted for the National League of Cities policy which urges all levels of government to adopt statutory, regulatory, and policy actions to confront, curb, and eventually eliminate

firearm violence in America. He said it is time to add this policy to the legislative agenda and demand action.

Councilmember McGlashan said he will be supporting adopting Resolution No. 444 and reiterated his concern that the community does not know this vote is happening.

Mayor Hall said the government should be transparent and the decision to adopt this Resolution tonight is setting a dangerous precedent. He added that voting on something without providing an opportunity for public input is not the way he prefers to interact with the community. He said he has no problems substantively, and since it is before Council for vote he will support it because of the content.

Councilmember Scully said he supports the Resolution and emphasized that it encourages federal officials to take action to prevent gun violence and he cannot imagine what someone could say at public comment that would change his stance on the matter.

Resolution No. 444 was approved unanimously, 6-0.

- (b) Appointing Pro and Con Committee Members for City of Shoreline Proposition 1: General Obligation Bonds for Parks, Recreation, and Open Space Improvements

Eric Bratton, Communications Program Manager, delivered the staff presentation. He explained that with the passage of Ordinance No. 866, Council has the responsibility to appoint Pro and Con Committee members to write supporting and opposing statements for ballot measure language in the voter's pamphlet. He said up to three people could be appointed for each of the Committees and described the communication of, and timeline for, the application submission. He said six applications were received for the Pro Committee, one of which subsequently withdrew from consideration, and none for the Con Committee. He displayed the next steps in the process and the related King County deadlines. He listed the Pro Committee applicants.

Councilmember Roberts moved to appoint the following names, _____, _____, and _____ to serve as members of the Pro Committee. The motion was seconded by Councilmember Chang.

Deputy Mayor McConnell moved to amend the motion to appoint Susie McDowell to the Pro Committee. The motion was seconded by Councilmember Scully.

Deputy Mayor McConnell explained that Robin McClelland removed herself from the applicant pool but hopes to contribute her expertise to the process. Deputy Mayor McConnell said that she nominated Susie McDowell because of her long term involvement with the School District Swim Teams.

The amendment to the motion passed unanimously, 6-0.

Councilmember McGlashan moved to amend the motion to appoint Pamela Cross to the Pro Committee. The motion was seconded by Councilmember Scully.

Councilmember McGlashan spoke to Pamela Cross's involvement in the community and her work to keep residents informed. Mayor Hall agreed that Ms. Cross pays close attention to, and accurately reports, what is happening in Shoreline. Deputy Mayor McConnell thanked Ms. Cross for her commitment to the community.

The amendment to the motion passed 5-1, with Councilmember Chang voting no.

Deputy Mayor McConnell moved to amend the motion to appoint Carolyn Hope to the Pro Committee. The motion was seconded by Councilmember McGlashan.

Deputy Mayor McConnell said Ms. Hope has been in the community a long time, is familiar with City work, and has a great command of the written language.

Mayor Hall expressed his gratitude for the willingness of all the applicants to participate and said he hopes that they all would be involved in the process in some capacity.

The amendment to the motion passed unanimously, 6-0.

The motion to appoint Susie McDowell, Pamela Cross, and Carolyn Hope to the Pro Committee passed unanimously 6-0.

It was acknowledged that there were no applicants for the Con Committee and that the deadline for submission of names is August 6, 2019.

9. STUDY ITEM

- (a) Discussing the Shoreline Place Development Agreement

Rachael Markle delivered the staff report and was joined by representatives of Merlone Geier Partners (MGP). Mayor Hall reviewed the Fairness checklist in compliance with the Appearance of Fairness Doctrine for this quasi-judicial proceeding. He disclosed that all Councilmembers received an email from ROIC inviting the Council to meet, and on the advice of the City Attorney the request was declined.

Councilmember Chang disclosed that she had been approached for her opinion on the matter by Shoreline residents John Hoey and Dave LeClurge, and she informed them she could not comment on the topic but that the City would welcome submission of written comments. She also said she attended a portion of the Planning Commission meeting at which Merlone Geier delivered a presentation.

Deputy Mayor McConnell said she remembers exchanging business cards with many of the people at one of the Planning Commission Hearings but has not connected with any of them. Councilmember Roberts said he had a brief conversation on the topic with Planning Commissioner Jack Malek before the discussion had taken place on whether this would result in a quasi-judicial hearing. Councilmember Scully said he spoke with Planning Commissioner

Malek generally about development in Shoreline; he said Commissioner Malek expressed a desire to make Shoreline Place work in the hopes of future projects but did not advocate for or against any particular feature.

Deputy Mayor McConnell and Councilmembers Chang, Roberts, and Scully stated for the record that they could remain impartial in the decision-making process. When offered the opportunity, no members of the public objected to any Councilmembers participating in the discussion.

Ms. Markle described the timeline of the staff review, Planning Commission meetings, and public process for the Shoreline Place Development Agreement. She said the draft agreement has evolved into a document that endeavors to represent the vision of both the City and the property owners for the Aurora Square Community Renewal Area (CRA). She said the Planning Commission unanimously recommended approval of the Development Agreement to the City Council, and she reviewed the property's land use entitlements and existing development potential. She stated that a development agreement is not required in a Mixed Business Zone but the applicant has voluntarily requested the City to enter into an agreement with them. She described some of the key components of the proposed Shoreline Place Development Agreement. She said the Supplemental Site Design Guidelines were developed by the applicant as an outcome of ongoing coordination with staff to ensure the future development would largely be reflective of the Concept Guideplan and said the guidelines focus on the areas of the concept plan that most directly align with the CRA plan and requires certain elements to be incorporated. She displayed a list of the included areas and said the supplemental plan also includes a menu of other elements that the owner may choose to include.

Ms. Markle stated that out of the 11 mitigation projects identified through the environmental review process, MGP will implement or participate in the implementation of five projects and the Alexan and WSDOT will implement four more projects, leaving just two lower priority mitigation projects.

Ms. Markle welcomed James Gwilliam, Vice President of Development with MGP. Mr. Gwilliam described the business emphasis of MGP. He introduced Glen Goodman, Vice President of Design and Construction with MGP and named the additional team members in attendance. Mr. Gwilliam recounted the evolution of the project and the decision to include a development agreement. He said MGP believes strongly that a site of this magnitude requires a cohesive plan which will result in a better outcome for phased development. He described the timeline for the community outreach process and shared some of the feedback themes, which he said coincided with a deep market analysis.

Jeff Foster, Director of Affordable Housing with GGLO Design, joined the presentation to review the site plans and conceptual sketches. He displayed an aerial image of the Aurora Square CRA and vicinity and identified Merlone Geier's site within it. He stated the goals of the CRA are to: increase land efficiency, transform Westminster, create an eco-district, integrate into the context of the surrounding neighborhood, establish a vibrant center, reinvent the Sears building, construct internal connections within the site, incorporate the nearby college, build new homes, trade surface parking for jobs, and add entertainment to the mix. He said there are multiple property owners on the site, with cross access agreements over the parcels that neighbor each

other, and he added that the proposed development respects those boundaries and acknowledges easements while suggesting enhancements.

Mr. Foster listed the project objectives for the design team, which includes continuing to pay attention to how this project can contribute to the potential of neighboring properties in the future. The existing traffic circulation was described as far from optimal and proposed improvements were reviewed. He displayed the upper and lower ground level site plans, indicating the open space systems, parking locations, and access diagram and mapped the designated residential parking, which is separate from the retail parking. He said the proposal includes more residential and retail parking than the Development Code requires. He described the CRA required improvements to North 160th Street and displayed a graphic of the proposed development. He shared details on the drafted open spaces plan and the interconnection of routes for pedestrians, bicyclists, and vehicles.

Mr. Gwilliam reported on the Block Plan and the required improvements per phase. He clarified that MGP worked with City staff to define off- and on- site improvements for each Block and phase of the development and displayed a detailed graphic of the plan.

Ms. Markle shared the timeline for the evolution of the Development Agreement and described some of the changes made during the process and the impetus for the changes. She displayed the Development Agreement Criteria and said the Planning Commission found that the project meets all of the criteria. She listed the next steps for the consideration of adoption of the Development Agreement.

Councilmember Chang said this is not what she was expecting when MGP first asked for a community survey and described the proposal as underwhelming. She said her goal is to make sure the Agreement has elements for the community to be happy about.

Councilmember Chang noted that the agreement language indicated that if MGP were to purchase additional parcels it would be considered a minor amendment, and would not have to return to Council, an approach with which she disagrees. She asked for clarification on the open space requirements and optional amenities. Mr. Gwilliam explained the Developer Agreement is voluntary and MGP is not committing to a building design but are holding themselves accountable for open spaces beyond what is required. He said this is the plan that allows them to develop in a way that reflects the demands of the market while they gradually work towards full buildout. He said that for retail to thrive you need foot traffic, easy parking, great signage, and good design. Today's consumers are picky, and if they cannot get what they want they will take their business elsewhere. There was discussion on how the upcoming development at Northgate Mall differs from the demand for space in Shoreline. Mr. Gwilliam said that that community feedback voiced a preference for restaurants and smaller shops, and all the major retailers contacted were not interested in an additional location in Shoreline.

Councilmember Roberts said since the CRA was adopted the City has been looking for ways to revitalize the site. He opened conversation on established parking reductions and the possibility of future flexibility. Ms. Markle replied that the developer would have the ability to apply for parking reductions under the existing code. Mr. Gwilliam said that within the conceptual site

plan they are attempting to remain flexible to the potential advancements in vehicle technology. It was confirmed that if the City were to amend the parking reduction codes in the future the developers would have the discretion to opt in to any revised parking amendments, with City approval.

When asked if MPG would be open to adding language stating that if the City makes a change in development code that it thinks may increase public benefits and serve the development, the City is allowed to suggest the developers look into opting into the revised code, Mr. Gwilliam responded that MPG would appreciate being kept up to speed on such changes.

In reviewing Impact Fees, the potential for Parks and Transportation Impact Fees was discussed, and Councilmember Scully said that his goal was to ensure that the Development Agreement was fair to existing tenants on the parcel and suggested staff review the terms of the potential credit calculation. Mayor Hall said he is interested in confirming a limit on the credit amount for calculated impact fees. Mr. Gwilliam said MGP's understanding is that the limit is established as not to exceed credit greater than 40% on a macro level, reminding the Council that MGP has committed to open spaces beyond the required amounts. When asked for the method of calculation for Fire Impact Fees, Margaret King, City Attorney, explained that the provision is in place to point toward the amounts to be used in formulas, and it was stated that the new fees would be calculated at the time of permitting. Mr. Gwilliam added that the language is in place because MGP wants it documented that there is an existing credit for the current building.

Councilmember McGlashan said he is excited about the development and hopeful that Shoreline will see more condos being build. He asked about the planned residential options for the site. Mr. Gwilliam said they have not precluded the ability to include condominiums or apartments, but right now there is not a plan to do either. He said MGP is hopeful that laws will continue to change to make it more attractive for condominium developers to want to partner with them, but that they are not seeing that level of investment in the suburbs yet. He said one of the benefits of having multiple blocks of development is as they approach each block, they can assess the current regulations as they evolve, and design unit sizes and mix closer to the time they apply for permits.

Mayor Hall and Councilmember McGlashan expressed concern that the planned retail areas would be decreased and residential would increase, since the existing Agreement does not prohibit a reduction of retail space. It was also established that retail spaces could be increased if there is demand. Councilmember Chang reminded MGP of the importance of the commercial component of the project. She stated that the community does not want this to be a purely residential space, but a destination for all Shoreline residents. Mr. Gwilliam said MGP shares the same desire. He said there is a benefit to Central Market being an anchor and that the depth of the retail spaces is in response to the community feedback. He said as the buildings are being developed, MGP will work with retail partners to accommodate needs. He said what they do not want is frivolous retail space that ends up sitting vacant. He said the approach is to get as much of the best type of retail as possible. Deputy Mayor McConnell said the evolution of the process has been exciting to watch. She said she understands about unpredictability of the future of retail space demand and that Central Market has been a part of Shoreline for a long time and deserves to be treated well.

When asked for clarification on the traffic changes into Shoreline Place and from the Alexan, Ms. Dedinsky described the planned entrance and egress points from Aurora/Westminster and the associated traffic calming elements. Upon questioning, she also described the best use of right-of-way areas as related to parking and accommodating bike riders of all abilities.

Councilmember McGlashan asked if an off-leash dog park would definitely be part of the plan and was told that it is an option for an open space component. He also asked about the regulations listed for photographing/videoing in the open spaces and was assured that the provision in place is to avoid disruption to traffic and retailers and not to discourage individual picture taking. Councilmember McGlashan commended MGP on the transportation and pedestrian traffic connections throughout the site.

Deputy Mayor McConnell commented that the issues raised by ROIC have seemed to be worked out and asked if there were any areas of concern. Mr. Gwilliam said that MGP has had a longstanding working relationship with ROIC and there are only a few items still to be resolved. She thanked MGP for the inclusion of open spaces, to which Mr. Gwilliam pointed out that within each residential building there are also semi-private shared open deck spaces.

Mayor Hall said he recognizes the development is MGP's project and appreciates that the Developer Agreement creates open space and public amenities. He said that while flexibility is important, the City should be guaranteed the public benefits it thinks it is going to get when the plans move beyond conceptual. He said the challenge he has is that all of the drawings and cross-sections are non-binding, which makes it hard to balance the public and private interests in the Agreement. There are a handful of places where he is interested in looking for language to provide a little more predictability and certainty, and he reviewed his list of suggested changes as follows:

- Strike paragraph 34 in its entirety so if MGP acquires additional land in the future it would not automatically be allowed to fall under the same entitlements in the Development Agreement.
- Add a specified limit to reduction in retail after a certain level.
- Increase parking stall width to minimum of 8 ft.
- Any major amendments requested by MGP would allow the City to open the Developer Agreement back up to ask for compensating public benefits, with the following items being classified as major amendments:
 - Preserving the location of retail location even if market changes
 - Changes to transportation access – ensuring that the network is not diminished
 - Preserving the aesthetics of the promenades and corridors in the streetscapes
 - Ensuring the public benefits like solar access in these plans will be built
 - Changes to the supplemental site design guidelines

Councilmember Scully said he agrees that major amendments need to be approved by that City, and the City should have the right to revisit the required public benefits.

Councilmember Roberts said neighborhood associations have indicated it is challenging for the associations to make contact with multi-family communities for outreach. He suggested creating a standard within the development agreement to add access to neighborhood associations.

Mayor Hall clarified that some of his suggested amendments are formal requests, and others are suggestions for Staff to review. It was recognized that not all Councilmembers have had the opportunity to review Mayor Hall's proposed changes, which were submitted a few hours prior to the meeting. Ms. Markle said staff would work with the applicant to have something more complete for the September 9, 2019 Council Meeting. It was agreed that all potential amendments should be submitted by August 19, 2019.

9. ADJOURNMENT

At 9:41 p.m., Mayor Hall declared the meeting adjourned.

Jessica Simulcik Smith, City Clerk