

September 10, 2001

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CITY OF SHORELINE
SHORELINE CITY COUNCIL
SUMMARY MINUTES OF JOINT DINNER MEETING

Monday, September 10, 2001
6:00 p.m.

Shoreline Conference Center
Highlander Room

Shoreline City Council

PRESENT: Mayor Jepsen, Deputy Mayor Hansen, Councilmembers Gustafson, Lee, and Ransom

ABSENT: Councilmembers Grossman and Montgomery

STAFF: Steven C. Burkett, City Manager; Larry Bauman, Assistant City Manager; and Joyce Nichols, Community and Government Relations Manager

Shoreline School Board

PRESENT: President Bryce, Vice President Giboney, Boardmembers Parsons and Robinson

ABSENT: None

STAFF: Dr. James Welsh, Superintendent of Schools; Linda Johnson, Assistant Superintendent; Marjorie Ledell, Executive Director of Community Relations and District Services; Clarence Kwock, Chief Financial Officer; and Diane Jenkins, Clerk of the Board

The meeting convened at 6:30 p.m.

President Bryce reviewed a list of issues generated by the City.

Steve Burkett, City Manager, responded that the list developed by the City was not intended to be an agenda for the meeting. He commented on the joint use agreement between the School District and the City as an example of successful collaboration.

Continuing, Mr. Burkett mentioned Shoreline Community College's interest in partnering for the development of recreational facilities on the campus.

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Councilmember Gustafson pointed out that during the initial visioning for the community, there was discussion of a bond issue to build a new gymnasium near the Shoreline Stadium.

Councilmember Lee said that the community college is developing a strategy to enhance its athletic programs and to open the campus more to the community.

President Bryce commented that exchange of services between the City and the School District has been another area of success.

Councilmember Gustafson suggested looking into provision of joint services for field and parks maintenance. He also raised the concept of the School District and the City partnering to develop a television studio that would serve the cable television production needs of both agencies.

Majorie Ledell, Executive Director for Community Relations and District Services, said she and Joyce Nichols have been meeting to discuss plans to develop a studio at the Conference Center.

Mayor Jepsen expressed his belief that the School District, Fire District, Water District, and Wastewater District should all have televised meetings because they are all governed by elected officials who have a role in managing taxpayer revenues.

Mayor Jepsen raised the issue of economic development and its effects on the entire community. He asked how growth has affected the School District and pointed out that single family residents pay the vast majority of property taxes.

Boardmember Parsons asked how much residential growth is occurring.

Mayor Jepsen estimated that 150 – 250- housing units are being added per year.

Boardmember Robinson noted that projected increases in the school population have not occurred as expected. He said the Board is interested in knowing what information the City has about demographic changes. The Board desires to provide adequate education without overburdening the taxpayers.

Superintendent Welsh brought up the School District's interest in sharing ideas with the cities of Shoreline and Lake Forest Park regarding some district properties.

Boardmember Parsons recalled that some years ago there were concerns about the possible development of Fircrest for housing and the impact such development would have on the School District.

As part of economic development, President Bryce supported the City's goal to redevelop Aurora Avenue, one of the ugliest streets in the City.

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Mayor Jepsen asked about the School District revenues from the property tax levy.

Councilmember Ransom pointed out that the City's plans for North City redevelopment would potentially create 500 new housing units. He expressed concern about the consideration of impact fees for the School District and a realistic expectation of new students. He gave an example from Ballinger Commons and the impact of 150 students instead of the expected 50 students and the effect on the School District.

Mayor Jepsen added that the demographics of North City would not likely attract school age children. He encouraged the School District to be a participant in the Central Shoreline subarea planning process.

Boardmember Robinson said the Board is interested in long-range planning to provide adequate facilities in the community for the future.

Councilmember Gustafson added that planning for the recreational needs of youth after school is also important.

Boardmember Robinson pointed out that the School District already provides activities after school for 650 students.

Superintendent Welsh commented on the need to create a joint master plan between the City and the District to plan for future community needs.

Mayor Jepsen summarized by saying it is important to recognize and build upon the accomplishments of the two agencies.

Mr. Burkett committed to working directly with Dr. Welsh to improve joint planning processes.

The meeting adjourned at 7:25 p.m.

Larry Bauman, Assistant City Manager

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CITY OF SHORELINE

SHORELINE CITY COUNCIL

SUMMARY MINUTES OF REGULAR MEETING

Monday, September 10, 2001
7:30 p.m.

Shoreline Conference Center
Mt. Rainier Room

PRESENT: Mayor Jepsen, Deputy Mayor Hansen, Councilmembers Grossman, Gustafson, Lee and Ransom

ABSENT: Councilmember Montgomery

1. **CALL TO ORDER**

The meeting was called to order at 7:32 p.m. by Mayor Jepsen, who presided.

2. **FLAG SALUTE/ROLL CALL**

Upon roll call by the City Clerk, all Councilmembers were present with the exception of Councilmember Montgomery.

Upon motion by Deputy Mayor Hansen, seconded by Councilmember Gustafson and unanimously carried, Councilmember Montgomery was excused.

3. **REPORT OF CITY MANAGER**

City Manager Steve Burkett noted a revision to proposed Ordinance No. 285 (agenda item 9[b]) to include an item inadvertently left out, a fee for diskettes.

4. **REPORTS OF BOARDS AND COMMISSIONS:** None

5. **PUBLIC COMMENT**

(a) Brian McCulloch, 633 NW 180th Street, commented that the center turn lane on 175th Street to northbound Interstate 5 (I-5) is too small, which has resulted in accidents. He asserted the need for a telephone at 175th Street for motorists to use in the event of breakdowns on I-5. He went on to discuss other problems with the changes under construction in this area of 175th Street.

(b) Paulette Gust, 14805 Whitman Avenue N, Apt. 10, supported the preferred design for Aurora Avenue recommended by the Citizens Advisory Task Force (CATF) and unanimously approved by Council. She asserted an escalation of "wild speculation, gross misinformation and outright lies" about the Aurora Corridor Project. She stated that the development of the preferred alternative "was a long and very open process."

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(c) Vance McElmurry, 17503 8th Avenue NE, said he requested that the City change the zoning of his property to neighborhood business. He objected to the changes of 175th Street in the area of I-5 and to the revised fees in proposed Ordinance No. 285.

(d) Martin Kral, 1317 N 183rd Street, said the Planning and Development Services Director approved cottage housing at 185th Street and Stone Avenue N. He explained that Viking Properties previously proposed to build 12 cottage houses and two larger houses and that it is now building 16 cottage houses. He asserted that cluster homes, such as cottage houses, do not fit well in an L-shaped lot. He also expressed concern about the impact of the new housing on traffic and pedestrian safety on Stone Avenue.

(e) Gretchen Atkinson, President, North City Business Association, encouraged Council to pass the motion on the agenda to authorize the City Manager to execute a design contract with KPG in the amount not to exceed \$525,000 for the North City Business District Improvement Project.

(f) Richard Johnsen, 16730 Meridian Avenue N, identified two errors in the draft minutes of the August 20, 2001 Council meeting: 1) the summaries of his comments regarding the Spartan Gym (pages seven and ten of the Council packet) did not include his concern that folk dancers be allowed to dance in street shoes; and 2) the summary of his second comment did not include that the contra dance group with which he was involved "had started small and grown larger and that this was a unique opportunity for the City to go for it."

(g) Marlin Gabbert, 17743 25th Avenue NE, encouraged Council to continue improvements in North City. He commended Council for its work with the School District and for the Joint Use Agreement with the District. He recommended continued Council emphasis on parks and recreation programs and on cooperation with the District.

Mayor Jepsen said the changes to 175th Street at I-5 are part of a State Department of Transportation (DOT) project. Public Works Director Bill Conner agreed to investigate problems with the changes and report back to Council. He supported the installation of a telephone at 175th Street for use by stranded motorists.

Mr. Burkett said the Planning Commission did not recommend the zoning change that Mr. McElmurry requested. He went on to explain briefly the revised fees in proposed Ordinance No. 285.

Mr. Burkett said Planning and Development Services posted the notice of decision regarding the Viking Properties building application at the building site, and the application meets City regulations. Planning and Development Services Director Tim Stewart acknowledged that the project is contentious and that it will create short-term construction impacts. He stated that cottage housing is a "critical component in the City meeting its housing targets."

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In response to Deputy Mayor Hansen, Mr. Stewart agreed to investigate the proposal that Viking Properties submitted and that which the City approved.

6. APPROVAL OF THE AGENDA

Councilmember Lee moved that Council approve the agenda. Deputy Mayor Hansen seconded the motion, which carried unanimously, and the agenda was approved.

7. CONSENT CALENDAR

Councilmember Ransom moved approval of the consent calendar. Deputy Mayor Hansen seconded the motion, which carried unanimously, and the following items were approved:

Minutes of Special Meeting of August 20, 2001

Approval of expenses and payroll as of August 31, 2001 in the amount of \$5,086,304.48

Motion to authorize the City Manager to execute a design contract with KPG in the amount not to exceed \$525,000 for the North City Business District Improvement Project

Resolution No. 180 approving the Comprehensive Sewer Plan of Ronald Wastewater District, King County, Washington

Motion to authorize the City Manager to execute a Commute Trip Reduction Implementation Act Agreement with King County for Commute Trip Reduction services

8. ACTION ITEMS: PUBLIC HEARING

- (a) Public hearing to consider citizens' comments on the proposed use of 2002 Community Development Block Grant (CDBG) funding

Health and Human Services Manager Rob Beem reviewed the staff report.

Mayor Jepsen opened the public hearing.

Seeing no one wishing to address Council on this item, Deputy Mayor Hansen moved to close the public hearing. Councilmember Gustafson seconded the motion, which carried unanimously, and the public hearing was closed.

Motion to adopt the Health and Human Services Allocation Committee's recommended 2002 CDBG allocations in the amount of \$363,848 and to authorize the City Manager to enter into agreements for implementing these projects (contingent on the passage of the City of Shoreline budget, as well as the passage of the Federal budget.)

Councilmember Gustafson moved to adopt the Health and Human Services Allocation Committee's recommended 2002 CDBG allocations in accordance with Attachment A (pages 35 and 36 of the Council packet) and to authorize the City Manager to enter into agreements for implementing the funded projects. Councilmember Lee seconded the motion.

In response to Councilmember Ransom, Mr. Beem said the City is fully utilizing the money allocated to the King County Housing Repair Fund. He explained that the City is "running out of money and establishing a wait list before the end of each year." He went on to summarize the operation and income requirements of the program.

In response to Councilmember Grossman, Mr. Beem said the County operates a separate program for repairing rental properties. He attributed the low utilization of the program to the restrictions on rents that landlords must accept to participate.

In response to Councilmember Gustafson, Mr. Beem explained that the \$40,000 that the City will receive from a canceled 2000 project (page 29 of the Council packet) pertains to the YMCA decision to decline funds the City allocated two years ago for a child care center.

Councilmember Gustafson noted the statement on page 32 of the Council packet that "The amounts listed for 2002 were contingent on successful performance of the project's performance measures and funding availability." Mr. Beem explained that the City sets performance goals for the year when it contracts with each agency. He indicated no concerns about any of the projects.

In response to Councilmember Gustafson, Mr. Beem said Shoreline families can access the emergency shelter that the Hopelink-Kenmore Shelter provides. He noted that the program also provides motel vouchers to families in need of emergency shelter. He explained that the Hopelink-Kenmore Shelter is the only emergency shelter for families in the area.

Councilmember Gustafson expressed appreciation that the recommendation includes a contingency plan both for the availability of additional funding and for necessary funding reductions.

Councilmember Lee expressed surprise that the City received only five eligible applications for the 2002 CDBG capital allocation. Mr. Beem attributed the low number

of applications to the limited number of agencies in Shoreline and to the infrequency of major capital efforts by agencies.

Councilmember Grossman said two members of the Health and Human Services Allocation Committee had commented to him about "how positive they felt about the allocation process" and the high quality of the applications.

In response to Councilmember Gustafson, Mr. Beem explained the committee's perspective that the Hearing, Speech and Deafness Center is a regional facility unique throughout King County. He said the facility is relatively more accessible to Shoreline residents than to residents of other parts of King County.

Councilmember Gustafson commended the work of the citizen members of the committee. Mayor Jepsen named the citizen members: Ron Greeley, Scott Kenny, Toni Lindquist, Edith Loyer Nelson and Christine Smith.

Deputy Mayor Hansen emphasized the value of the King County Housing Repair Fund. He pointed out that this is a revolving fund to which the City has dedicated over \$600,000.

A vote was taken on the motion to adopt the Health and Human Services Allocation Committee's recommended 2002 CDBG allocations in accordance with Attachment A and to authorize the City Manager to enter into agreements for implementing the funded projects. The motion carried 6-0.

9. ACTION ITEMS: OTHER ORDINANCES, RESOLUTIONS AND MOTIONS

- (a) Motion to authorize the City Manager to execute an addendum to the Joint Use Agreement between the City of Shoreline and the Shoreline School District regarding joint operation of the Spartan Gym facility

Parks, Recreation and Cultural Services Director Wendy Barry noted the following "housekeeping changes" to the proposed addendum:

- The revision of the final sentence of the fourth paragraph under "A. Context and History" to read, "It also includes a former locker room located on the north side of the gym that has been modified, but largely unimproved, that is being used for storage. ~~for a local youth athletic association.~~"
- The revision of the date in the first sentence of the third paragraph under "2. Maintenance and Operations" to read "June 2001."
- The inclusion of the following language at the end of "A. Context and History:"
"In 2001, the School District and the City staffs collaborated to develop a joint operations plan for the newly renovated Spartan Gym facility. The addendum is based on the August 2001 Joint Operation Plan."

Ms. Barry went on to review the proposed addendum.

Mayor Jepsen invited public comment.

(1) Richard Johnsen, 16730 Meridian Avenue N, asked about the School District policy regarding street shoes on "the wood dance floor." He noted that a participant at the contra dance at the Lake City Community Center August 23 expressed interest in using the Spartan Gym facility. He said City staff could not answer his inquiry about the rental cost of the facility.

Councilmember Gustafson moved that Council authorize the City Manager to execute an Addendum to the Joint Use Agreement between the City of Shoreline and the Shoreline School District regarding joint operation of the Spartan Gym facility. Councilmember Ransom seconded the motion.

In response to Mayor Jepsen, Ms. Barry explained that staff has not resolved all of the logistics of the use of the Spartan Gym facility. She said staff will have rental cost information within the next few weeks. She said street shoes on the dance room floor will necessitate more frequent refinishing, which will increase maintenance and operations costs.

Councilmember Gustafson said one of the rooms at the Spartan Gym is structured to accommodate dancing.

In response to Councilmember Gustafson, Ms. Barry confirmed that the City must repair any vandalism to the interior of the building that occurs during a City program. She said in the event that a group renting space at the facility is responsible for damages, the City will pass the cost of the damages to the group. She noted that the City will provide on-site supervision.

Councilmember Gustafson asserted the importance of the School District having priority use of the facility for after-school team practices. Ms. Barry agreed that there will be exceptions to City scheduling priority after regular school hours. She pointed out that City and School District staff will meet quarterly, review costs annually and make recommendations regarding cost sharing biannually.

Councilmember Ransom expressed enthusiasm about the proposed addendum and about the Spartan Gym Facility. Noting his and Councilmember Gustafson's past involvement with the School District and with parks and recreation in Shoreline, he identified the Spartan Gym Facility as the realization of a vision.

Councilmember Grossman praised City and School District cooperation in providing soccer fields for area youth, as well as on the Spartan Gym Facility. He advocated future agreements including the City, the School District and Shoreline Community College.

A vote was taken on the motion that Council authorize the City Manager to execute an Addendum to the Joint Use Agreement between the City of Shoreline and the

Shoreline School District regarding joint operation of the Spartan Gym facility. The motion carried 6-0.

- (b) Ordinance No. 285 adopting revised fees for services for Parks and Recreation, Public Records, Development Permits and Returned Checks; and amending Chapter 3.01 of the Shoreline Municipal Code

Mr. Burkett explained the revisions to City fees for services.

Councilmember Ransom moved adoption of Ordinance No. 285. Deputy Mayor Hansen seconded the motion.

In response to Councilmember Lee, Finance Director Debbie Tarry said the City receives an average of 30 to 50 NSF checks annually.

In response to Councilmember Gustafson, Ms. Barry said the City will charge a shower fee for individuals who wish to shower only at the Spartan Gym, as well as for those who wish to shower only at the Shoreline Pool. She estimated that five to ten people use this service monthly.

In response to Councilmember Gustafson, Ms. Barry said staff compared the proposed fees for the Spartan Gym to fees at comparable school district facilities and to fees that other jurisdictions charge at similar facilities. She mentioned that staff plans to reevaluate the fees after one year.

Councilmember Gustafson questioned the \$12 activity fee for the Spartan Gym for "Non-profit groups organized in support of District/City programs." He commented that the School District does not charge non-profit groups of School District students to use other District gyms. Ms. Barry said staff based the fee, in part, on the quality of the facility. Councilmember Gustafson advocated that the City carefully consider whether the proposed fee is the correct amount. Ms. Barry noted that the \$12 fee is considerably lower than the fees that other municipal jurisdictions charge.

Mayor Jepsen said the proposed activity fee is consistent with his understanding of School District fees for gyms at elementary schools.

In response to Councilmember Gustafson, Shoreline School District Athletics Director Paul Lesh said the District charges for use of school gyms. He explained that the District has had to hire gym managers to provide supervision to prevent damage and maintenance problems. He estimated overall costs at \$12 per hour. He said the District is reviewing this system.

Councilmember Gustafson encouraged staff to review the Spartan Gym activity fee as well. He expressed concern that a fee of \$12 per hour will price some youth groups out of using the facility.

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In response to Councilmember Ransom, Ms. Barry explained the Council policy by which staff calculates parks and recreation fees. Fees include direct costs (e.g., the cost of a class instructor). In addition, youth program fees include ten to 20 percent of the administrative overhead costs, and adult program fees include 20 to 30 percent of the administrative overhead costs.

In response to Councilmember Ransom, Mr. Stewart explained that staff proposes to use the Uniform Building Code to determine building permit fees. He noted that this is the industry standard.

In response to Deputy Mayor Hansen, Ms. Barry confirmed that individuals participating in a group that has paid a Spartan Gym activity fee will not have to pay a drop-in fee as well.

Deputy Mayor Hansen asserted that the fees for the Spartan Gym seem very reasonable.

A vote was taken on the motion to adopt Ordinance No. 285 adopting revised fees for services for Parks and Recreation, development permits, public records and returned checks, and amending Chapter 3.01 of the Shoreline Municipal Code. The motion carried 6-0.

- (c) Resolution No. 176 Embracing Diversity and Multiculturalism within the City and Ensuring a Safe and Respectful Community for All People

Councilmember Lee mentioned damage to properties in Shoreline and Lake Forest Park and to the mural that the Echo Lake Neighborhood Association created at 205th Street and 1st Avenue NE. She said participants in meetings with the Mayor of Lake Forest Park have deplored crimes based on differences in values, beliefs or skin color. She explained the proposed resolution as a timely symbolic gesture of Council intent to embrace differences. She mentioned that the Lake Forest Park City Council has passed a similar resolution. She went on to read the proposed resolution. She noted the diverse population in Shoreline represented by the results of the 2000 census.

Councilmember Lee moved that Council adopt Resolution No. 176 Embracing Diversity and Multiculturalism within the City and Ensuring a Safe and Respectful Community for all People. Councilmember Grossman seconded the motion.

In response to Councilmember Ransom, City Attorney Ian Sievers said the proposed resolution does not change penalties for hate crimes but does direct Shoreline Police not to tolerate hate crime and "to charge and prosecute it to their utmost ability."

Councilmember Grossman asserted the importance of the resolution in light of changes in Shoreline. He said the diversity in the School District student body is even more pronounced than that in the Shoreline population. He commented that the resolution

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indicates a commitment by Council to embrace the opportunities and to work through the challenges of diversity.

Councilmember Gustafson commented on the changes in the School District student body and in Shoreline and agreed with the importance of the resolution.

A vote was taken on the motion that Council adopt Resolution No. 176 Embracing Diversity and Multiculturalism within the City and Ensuring a Safe and Respectful Community for all People. The motion carried 6-0.

Councilmember Ransom requested Council support for his application for the opening on the Steering Committee of the National League of Cities Human Development and Human Services Policy Committee. He mentioned that he has served on the policy committee for five years and that, as a licensed mental health counselor and a nationally-certified rehabilitation counselor, he has experience in the field.

Councilmembers expressed their support for Councilmember Ransom's application.

10. CONTINUED PUBLIC COMMENT

(a) Stan Terry, 15811 28th Avenue NE, spoke on behalf of Citizens for a Safer Aurora. He said the alternative that opponents to the Aurora Corridor Project support offers "very little in the way of safety improvements." He went on to discuss DOT statistics concerning vehicle traffic and accidents on the Shoreline section of Aurora Avenue during 1999 and 2000.

(b) Vance McElmurry, 17503 8th Avenue NE, expressed surprise that Council approved the expenses and payroll as of August 31, 2001 (agenda item 7[b]) "as quickly as it did." He asked if Council had determined the necessity of the expenses. "My idea, and other people's idea, is in this community that every year our taxes and our fees go up and up, and every year what we get for those monies gets less and less in the form of a new fee for a service."

(c) Catherine Connoway, 945 N 199th Street, said loopholes in the landlord-tenant laws in Shoreline are unfair to tenants. She discussed problems she has had as an apartment renter in Shoreline. She advocated revisions in landlord-tenant laws to protect tenants.

(d) Richard Johnsen, 16730 Meridian Avenue N, reported the recent death of longtime Shoreline resident Micky Gau. He went on to discuss Ms. Gau's contributions to Shoreline.

(e) Jim Shea, 16309 Interlake Avenue N, commented that Aurora Avenue is not safe. He stated that raised medians and U-turn lanes in the City of Sea-Tac are effective. He asserted that "a lot of misinformation is being spread" about the Aurora Corridor Project. He thanked Council and staff for their work on the project.

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Mayor Jepsen said Councilmembers receive copies of voucher records every time approval of expenses and payroll appears on the consent calendar. He noted that Councilmembers have questioned expenses, delayed Council approval and requested additional information in the past. He disagreed that the City has increased taxes and decreased services. He pointed out that the City receives only seven percent of Shoreline property tax revenues. He noted that Ordinance No. 285 will slightly reduce building permit costs.

Mayor Jepsen asked staff to follow up with Ms. Connaway regarding landlord-tenant laws.

Councilmember Ransom said tenants in Shoreline have relatively few rights compared to tenants in Seattle. He commented that tenant protections in Seattle may be too extreme, but he suggested the City consider establishing "some basic tenant rights."

Mr. Sievers said the State Residential Landlord-Tenant Act creates a balance between the rights of tenants and property owners. He noted that the City of Seattle is an exception in terms of adopting local regulations to provide additional protections for tenants.

Mayor Jepsen asked staff to prepare a brief report regarding City options on landlord-tenant law.

Deputy Mayor Hansen provided a brief overview of City financial operations in response to Mr. McElmurry's comments. Councilmembers Lee and Gustafson asserted the fiscal responsibility of Council and the City. Councilmember Ransom said the City property tax assessment is smaller than the assessment the County levied before incorporation, and the City provides more services than the County provided.

11. ADJOURNMENT

At 9:38 p.m., Mayor Jepsen declared the meeting adjourned.

Sharon Mattioli, CMC
City Clerk

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CITY OF SHORELINE

SHORELINE CITY COUNCIL

SUMMARY MINUTES OF WORKSHOP MEETING

Monday, September 17, 2001
6:30 p.m.

Shoreline Conference Center
Mt. Rainier Room

PRESENT: Mayor Jepsen, Deputy Mayor Hansen, Councilmembers Grossman, Gustafson, Lee and Ransom

ABSENT: Councilmember Montgomery

1. **CALL TO ORDER**

The meeting was called to order at 6:32 p.m. by Mayor Jepsen, who presided.

2. **FLAG SALUTE/ROLL CALL**

Mayor Jepsen led the flag salute. Upon roll call by the Deputy City Clerk, all Councilmembers were present with the exception of Councilmember Montgomery.

Deputy Mayor Hansen moved to excuse Councilmember Montgomery. Councilmember Lee seconded the motion, which carried unanimously, and Councilmember Montgomery was excused.

3. **CITY MANAGER'S REPORT**

City Manager Steve Burkett reported that the first School District task force meeting regarding surplus property is scheduled for October 5 at 1:30 p.m. He mentioned that the October 1 Council meeting may be cancelled. He noted a staff memorandum in response to citizen concerns about the State Department of Transportation project on 175th Street at Interstate 5 and a staff memorandum regarding Meridian Park Cottage Homes.

Councilmember Ransom expressed concern about the cottage housing project, given prior Council discussion about the proper density of the subject parcel. Mr. Burkett noted that the cottage housing provision in the Development Code allows a higher density under certain requirements. He said the City has approved the proposed development. Councilmember Ransom suggested that Council may want to discuss the zoning and development of the parcel.

4. **COUNCIL REPORTS**

Councilmember Grossman said the Seashore Transportation Forum will meet September 19.

Councilmember Ransom said the Jail Advisory Committee will meet September 24. He noted that the County has presented new jail fees that are much higher than those it previously discussed. He said representatives of suburban cities are, at the same time, trying to negotiate jail services contracts with the County. He stated that suburban cities need to meet to discuss the issue and to consider alternatives to contracting with the County for jail services.

In response to Mayor Jepsen, Mr. Burkett confirmed City concern about County actions regarding jail services and costs. He explained that Suburban Cities Association (SCA) member jurisdictions, Seattle and Bellevue are participating in a coalition to address the issue. He stressed the importance of maintaining the coalition. He said a group of city managers is investigating alternatives to contracting with King County for jail services.

Councilmember Gustafson said the Water Resource Inventory Area 8 Forum will meet September 26. He attended the September 12 SCA meeting with Deputy Mayor Hansen.

In response to Councilmember Gustafson, Mr. Burkett confirmed that staff obtained a certificate of occupancy for the Shoreline Pool.

Deputy Mayor Hansen reported that he and Councilmember Gustafson met briefly with State Transportation Secretary Doug McDonald after the September 12 SCA meeting and that Secretary McDonald agreed to visit Shoreline to review its transportation situation.

Mayor Jepsen commended the service that north end churches organized September 14 at the Shoreline Conference Center to address the events of September 11. He said the meeting of the north end mayors scheduled for earlier in the day was cancelled. He reported that King County has narrowed the number of candidate sites for the Brightwater wastewater treatment facility to two, the Edmonds Unocal and Highway 9 sites. He asserted that Council, staff and Shoreline residents did well to focus on the siting criteria in opposing the siting of the facility at Pt. Wells.

At Councilmember Gustafson's suggestion, Council observed a moment of silence to reflect upon the events of September 11.

5. PUBLIC COMMENT

(a) Charlotte Haines, 836 NE 194th Street, strongly supported the proposed design of the seven-and-a-half-foot-wide sidewalks, the four-foot planting area and the dedicated bus lanes in the Aurora Corridor Project. She noted the difficulty of walking beside her husband, who uses a wheelchair, on narrower sidewalks. She discussed the value of bus stops that allow the safe loading and unloading of passengers in wheelchairs.

(b) Timothy Crawford, 2326 N 155th Street, opposed Deputy Mayor Hansen's candidacy for City Council Position No. 7.

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6. WORKSHOP ITEMS

- (a) Discussion Regarding Proposed Interlocal Agreement with the Shoreline Water District

Kristoff Bauer, Assistant to the City Manager, reviewed the staff report.

Responding to Councilmember Ransom, Mr. Bauer said the proposed Citizens Advisory Committee (CAC) is meant as a mechanism for broader input into Shoreline Water District policy decision making. He noted that CAC membership must be proportionate to the number of District customers in Shoreline and that Council will appoint at least one CAC member. The CAC will not include representation of the Seattle Public Utilities (SPU) water service area until the District acquires the service area. Mr. Bauer pointed out that the District has agreed to include Council in higher level policy decision making such as the acquisition, transfer or other disposition of its service area. He said the CAC will focus more on annual decision making (e.g., budgeting and capital improvement projects).

Councilmember Ransom asserted that the proposed interlocal agreement requires a "huge level of trust" that the District will act fairly. He noted that the District will have authority to appoint all of the CAC members except one. He indicated that past experience has diminished his trust. He said the proposed agreement seems unbalanced from the City's perspective.

Mayor Jepsen commented that Section 1 of the proposed interlocal agreement, which addresses the CAC, is less essential than Sections 2, 3 and 4. He stressed the importance of Section 2, which addresses City involvement in negotiations with SPU about District assumption of the SPU service area on the west side of Shoreline. He noted that Section 4 addresses staff coordination to promote cooperation between the City and the District. He pointed out that Section 3 lists four of the major issues with which the City is most concerned, given its responsibilities under the Growth Management Act (GMA) to insure satisfactory water service for the community.

Referring to the second sentence in the first paragraph of Section 3, Deputy Mayor Hansen said the proposed agreement acknowledges the fact that the Board of Commissioners has "sole authority . . . to direct the operations of the Shoreline Water District." He said the proposed agreement is "a step in the right direction" by initiating cooperation between the City and the District.

Councilmember Gustafson agreed. He said the proposed agreement sets the District and the City in the direction the City has sought to pursue. He supported the CAC as a means of involving and educating Shoreline citizens in District operations. He suggested the revision of the second sentence of Section 5, "Reporting & Periodic Review," to stipulate a timeframe (e.g., quarterly or semiannually) for City and District consultations regarding the implementation of the agreement.

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Councilmember Ransom said he had expected the agreement to be "more performance based." He advocated the inclusion of performance measurements to assess progress toward accomplishments.

Mayor Jepsen referred to the requirement in Section 2.2 that the District "provide an initial report to the City by January 31, 2002 . . . regarding its progress with the West-Side System." He suggested that the City could request milestones and timeframes then about how that process will move forward.

Councilmember Ransom suggested consideration of "the successes of the sewer district" for "what they achieved by certain times and what was involved."

Mr. Burkett commented that the City is trying to create a collaborative relationship with the District, which is a long-established governmental agency with an elected board. He asserted that the performance measures or milestones the City can impose are limited. He identified the proposed agreement as "one step along the road of trying to establish a more collaborative, cooperative relationship."

Councilmember Grossman agreed. He suggested that the responsibility of the Board of Commissioners to City concerns is secondary to the responsibility of the commissioners to the ratepayers who elected them to address water service in the District service area. He supported the proposed agreement as a "testament" to the willingness of the District to work together with the City. He said the proposal establishes objectives the City sought.

Deputy Mayor Hansen noted the City's responsibility under State law for the water service needs of Shoreline residents. Assuming that the District is meeting those needs, he supported the proposed agreement. He advocated collaboration over the alternative of a "hostile takeover" of the District.

Councilmember Gustafson commented that the statement in Section 2.3 that "the City and District may share the expenses of the consultants" contradicts the statement in the staff report that the proposed agreement will have no financial impact on the City.

Mayor Jepsen expressed Council consensus to move forward with the proposed agreement. He suggested that staff consider clarifying the structure of the CAC without revising the agreement.

In response to Councilmember Ransom, Mr. Bauer said he would request information from Ronald Wastewater District regarding consultant fees it incurred during its negotiations with SPU.

Mr. Burkett said staff does not anticipate any consultant costs (e.g., the City does not intend to help pay for consultants the Water District hires during its negotiations with SPU).

(b) Status Update of the Design for the South Segment of the Interurban Trail Project

Public Works Director Bill Conner introduced Project Manager Paul Cornish and OTAK design consultants Mandi Roberts, Nico Vanderhorst and Nora Daley.

Mr. Conner reviewed the four segments of the Interurban Trail Project: south segment, 145th Street to 155th Street; south-central segment, 155th Street to 175th Street; north-central segment, 175th Street to 185th Street; and north segment, 185th Street to 205th Street. He discussed recent project activities, including:

- City submission of environmental documents April 30, 2001;
- Council award of the final design contract for the north and south segments May 29, 2001;
- Neighborhood meetings during June, July, August and September;
- Receipt of the Interagency Committee for Outdoor Recreation grant for the south-central segment July 18, 2001;
- Finalization of use agreement with Seattle City Light (SCL) August 20, 2001;
- Receipt of grant funding to design bridge over Aurora Avenue August 3, 2001; and
- Submission of clearing and grading permit application for south segment September 13, 2001.

Mr. Conner went on to describe the proposed trailhead at N 145th Street. He requested Council input on the design of the kiosk roof sign. He discussed the proposed site furnishings and landscaping.

(1) Mary Jo Heller, 14804 North Park Avenue N, stressed that the Interurban Trail is an important link in a regional trail and that the trail is inextricably linked with the Aurora Corridor. She said the Westminster Triangle Network has held three meetings about the trail project during the past 18 months. She mentioned some of the concerns of neighborhood residents (e.g., transients, lighting). She complimented City staff for its responsiveness to the input of neighborhood residents.

In response to Mayor Jepsen, Mr. Cornish explained the schedule for the remaining design and the construction of the Interurban Trail. He said design of the south segment is 60 percent complete; affected agencies are reviewing the plans; and staff hopes to begin construction this winter. He acknowledged that the City awarded the design contract for the south and north segments at the same time, but he explained that staff and consultants have focused on the south segment. He said they will focus on the north segment during the next month. He noted the goal to begin construction on the north segment in the spring or summer of 2002. Staff and consultants will then focus on design of the south-central segment with construction beginning toward the end of 2002. He said staff hopes to complete the entire project by the end of 2002 or during 2003.

Mayor Jepsen expressed frustration at the complexity of the project. He said he would have preferred that the City work through and complete the south and south-central

segments at once. He advocated a comprehensive design for the entire length of the trail, not segment-specific designs.

In response to Councilmember Ransom, Mr. Cornish reiterated the goal to complete the south, north and south-central segments of the trail by the end of 2002 or early 2003. He noted that the north-central segment is part of the Central Shoreline Subarea.

In response to Councilmember Lee, Mr. Cornish explained his work with Planning and Development Services to insure the integration of the portion of the trail that Top Foods is constructing as part of its development at 175th Street and the City's south-central segment.

Councilmember Gustafson expressed surprise at the estimated cost to design and construct a pedestrian bridge at N 155th Street. He asserted the importance of coordinating the design of the pedestrian bridge with the design of the Westminster Triangle area. Mr. Cornish said he and OTAK are both involved in the work that Economic Development Coordinator Jan Briggs is doing in the Westminster Triangle area.

Noting the value of a bicycle commuting corridor, Councilmember Gustafson asked about City of Seattle progress on the segment of the trail from Lake Union to 145th Street. Mr. Cornish said the Interurban Trail was third on the list of City of Seattle bike trail priorities the last time he conferred with City of Seattle staff. He expressed hope that Seattle will make the Interurban Trail a higher priority after the City begins construction of the trail north of 145th Street. Councilmember Gustafson advocated that staff develop a plan regarding the Seattle segment of the trail.

In response to Councilmember Gustafson, Mr. Cornish said staff has not yet received information from SCL about its review of the design of the south segment.

Councilmember Gustafson stressed the importance of connecting the Interurban Trail and the Burke-Gilman Trail. He advocated that the design process for the Interurban Trail include a preliminary design or vision of the interconnection. Mr. Cornish confirmed that the Interurban Trail design will incorporate the pedestrian bridge over I-5 at 195th Street. He said the design process will consider bike lanes on 200th Street, 195th Street and 185th Street.

Councilmember Gustafson suggested an Adopt-a-Trail program in which citizens or businesses would maintain portions of the trail.

Councilmember Gustafson expressed concern about vandalism, particularly of the kiosk at the 145th Street trailhead. Mr. Cornish said staff can consider alternatives to the wood construction of the kiosk.

In response to Councilmember Gustafson, Mr. Cornish confirmed that he has attended and provided information about the Interurban Trail Project at meetings of the Parks, Recreation and Cultural Services Advisory Committee.

In response to Councilmember Ransom, Mr. Cornish said staff proposes to include the narrower "B-Line" through most of the south and south-central segments. He said staff has not identified locations for other kiosks besides that at the 145th Street trailhead. He indicated the possibility for amenities at Echo Lake and at 192nd Street.

In response to Councilmember Ransom, Mr. Cornish confirmed that staff has the study of the Interurban Trail, including a pedestrian bridge across Aurora Avenue, that previous consultants conducted.

Councilmember Ransom praised the proposed design. Mr. Cornish said staff hopes to solicit bids in November for construction of the south segment. He indicated that the south segment is not likely to open until next spring.

Councilmember Lee stressed the importance of attending to the privacy concerns that property owners raised at stakeholder meetings.

Mayor Jepsen advocated that the design of the trailhead at N 145th Street address both the east side of the trail and the west side of the driveway (e.g., with similar planting treatment). He commented that the design focuses on the center of the right-of-way to the exception of the sides. He said Attachment C should depict the entire right-of-way (e.g., including both sides and the location of power lines and poles) to provide the context of proposed City improvements.

Regarding the kiosk, Mayor Jepsen mentioned concrete construction made to look like old growth timber. He tasked staff with identifying "the most maintenance free method" for constructing the kiosk.

Mayor Jepsen said site furnishings should be consistent for the entire length of the trail, and he said site lighting should be consistent with site furnishings.

Deputy Mayor Hansen favored the first option for the kiosk roof sign.

In response to Deputy Mayor Hansen, Mr. Cornish confirmed that the pedestrian bridge will cross both 155th Street and Aurora Avenue. Regarding maintenance of the Interurban right-of-way, he said the City will maintain its improvements, and SCL will maintain the rest. Mr. Burkett commented that SCL does not have any plans to upgrade its maintenance. Mr. Cornish confirmed that the trail has been designed to withstand use by SCL service vehicles.

Deputy Mayor Hansen suggested that individuals, families and service clubs be able to donate improvements (e.g., memorial benches) along the trail. He supported the old-growth timber construction of the kiosk proposed by staff.

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In response to Councilmember Ransom, Mr. Burkett said the City does not currently have complete plans on including Darnell Park at 165th Street in the south-central segment of the Interurban Trail. He acknowledged that the park abuts the SCL right-of-way and that the City could therefore widen its improvements and integrate the park.

In response to Councilmember Ransom, Mr. Cornish said he is participating in the Westminster redevelopment project to determine how to incorporate the Interurban Trail, in general, and the pedestrian bridge, in particular.

Councilmembers expressed their opinions on the design for the kiosk roof sign. Mr. Conner acknowledged Council support of the first option. He said staff will address the east side of the trail and the west side of the driveway in the design of the trailhead at N 145th Street (Attachment A).

Mr. Burkett commented that the pedestrian bridge merits a great deal more consideration given its cost. He said staff will investigate other materials for constructing the kiosk that may be more resistant than wood to vandalism. Finally, he advised that staff will provide a written schedule of activity on each segment of the Interurban Trail Project.

7. CONTINUED PUBLIC COMMENT

(a) Richard Johnsen, 16730 Meridian Avenue N, supported the proposed design for the south segment of the Interurban Trail Project. He supported "Ronald Subarea Plan" as the name for the subarea planning process discussed at the September 4, 2001 Council Workshop. He discussed this and other ways to represent the history of Shoreline.

(b) Mary Jo Heller, 14804 North Park Avenue N, supported the celebration of historic areas in Shoreline. She noted her understanding that the trailhead at N 145th Street was designed as a roundhouse to maintain the historical context of the Interurban Railway. She asserted the importance of the pedestrian bridge.

Mayor Jepsen advised that Councilmembers Grossman, Gustafson and Ransom expressed interest in serving on the School District task force regarding surplus property and asked them to confer and report back to him about participation on the task force.

8. ADJOURNMENT

At 8:42 p.m., Mayor Jepsen declared the meeting adjourned.

Sharon Mattioli, CMC
City Clerk

September 24, 2001

DRAFT
CITY OF SHORELINE
SHORELINE CITY COUNCIL
SUMMARY MINUTES OF JOINT DINNER MEETING

Monday, September 24, 2001
6:00 p.m.

Shoreline Conference Center
Highlander Room

Shoreline City Council

PRESENT: Mayor Jepsen, Deputy Mayor Hansen, Councilmembers Grossman, Gustafson, Lee, and Ransom

ABSENT: Councilmember Montgomery

STAFF: Kristoff Bauer, Acting City Manager; Jan Briggs, Economic Development Coordinator; and Joyce Nichols, Community and Government Relations Manager

Shoreline Chamber of Commerce

PRESENT: President Terry Green; Secretary Sherwood Sage; Past President James Jory; Board members Cheryl Crow, CaraLee Cook, Roger Stephens, Jerilee Noffsinger, and Susan Dodd

ABSENT: Vice President/President-Elect Greg Olson; Treasurer Joe Trevino; Board members Steve Rodriguez and Sarah Strahan

The meeting convened at 6:25 p.m.

After self-introductions, Jan Briggs, Economic Development Coordinator, distributed a proposed final draft of the City's Economic Development program. She noted it has been discussed with the Chamber Board before this meeting. Staff hopes to bring the program to the City Council on October 8 for review and adoption. Ms. Briggs also discussed the Central Shoreline subarea charrette and outlined the format and process for the four-day event.

Terry Green, Chamber President, initiated a discussion of the City's permit process and expressed some frustrations among the business community concerning it. She asked if there is a way to brainstorm what people's problems are and take suggestions back to the City.

Ms. Briggs said the City will probably do an audit of the permit system and interview individuals on the Chamber Board as part of the process.

Ms. Green said that most of the calls she gets are from architects. She mentioned one individual who was ready to abandon his project. She referred him to Ms. Briggs, at which point he was "taken care of." Ms. Green said she refers her callers with permit problems to Ms. Briggs.

Deputy Mayor Hansen stated he would like those calls referred to him to give him an opportunity to help get the facts. Mayor Jepsen agreed that he wants to know as many details of the problem as possible in order to address it. He said without specifics, he can not do much to help.

Ms. Green shared a problem she had with a permit when the City was new. The problem was finally resolved after calls to staff.

Councilmember Grossman said a number of people who had permit problems when the City was new have recently noted service improvement. He said he has continued to impress upon staff the importance of working with people.

Deputy Mayor Hansen pointed out that there are citizens who do not necessarily want permits to be easier to get. It is important to maintain a balance.

Ms. Briggs added that the problem with being a built-out city is that staff has to apply new development codes and standards to already constructed buildings.

Councilmember Gustafson commented that making more of a connection with the Chamber would be a benefit.

Mayor Jepsen reiterated Ms. Brigg's point. Staff must make determinations about bringing buildings up to code. He mentioned a situation with Parkers Casino, where the building did not have fire protections to comply with current codes.

Past President Jim Jory did not believe that the permit process is the focal point for problems. He said it is a secondary item in terms of the City's future growth. He discussed the need to have real income growth for people in the City to have the economic model succeed. He posed questions about the existence of a plan to upgrade the technological knowledge of Shoreline residents and about how much fiber-optic cable will be laid down Aurora Avenue. He stressed the need to measure real household income and to have an educated work force to be able to be competitive. He questioned what it means to be a competitive city.

Ms. Briggs responded the Ed Starkey, a consultant on contract, will help the City analyze its competitiveness.

Discussion followed of growth in personal income and where it fits with the City's economic development plan.

September 24, 2001

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There was general discussion regarding the City's role as a facilitator of economic development.

The meeting adjourned at 7:25 p.m.

Joyce Nichols, Community and Government Relations Manager

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CITY OF SHORELINE

SHORELINE CITY COUNCIL

SUMMARY MINUTES OF REGULAR MEETING

Monday, September 24, 2001
7:30 p.m.

Shoreline Conference Center
Mt. Rainier Room

PRESENT: Mayor Jepsen, Deputy Mayor Hansen, Councilmembers Grossman, Gustafson, Lee, Montgomery and Ransom

ABSENT: None

1. CALL TO ORDER

The meeting was called to order at 7:30 p.m. by Mayor Jepsen, who presided.

2. FLAG SALUTE/ROLL CALL

Upon roll call by the City Clerk, all Councilmembers were present with the exception of Councilmember Montgomery, who arrived shortly thereafter.

3. REPORT OF CITY MANAGER

Acting City Manager Kristoff Bauer noted the cancellation of the October 1 Council Workshop. He reported upcoming Planning Commission activities. He went on to address public comments at the September 10 Council meeting regarding the cottage housing project at Stone Avenue and 185th Street. He said Council previously reviewed the project as part of a rezone application—the property was zoned R-6; the applicant requested R-12; and Council approved R-8. Mr. Bauer explained that the cottage housing provisions of the Development Code allow twice as much density (i.e., 16 cottages on the subject property). He mentioned other cottage housing projects at 1301 184th Court and 300 N 160th Place. He expressed the willingness of staff to revisit the cottage housing provisions if Council determines that the community cannot accommodate the density the provisions allow.

Mr. Bauer mentioned the design charrette for the Central Shoreline Subarea Plan scheduled October 8-11 at Ronald United Methodist Church.

4. REPORTS OF BOARDS AND COMMISSIONS: None

5. PUBLIC COMMENT

(a) Ken Cottingham, 350 NW 175th Street, said he has 40 years of experience as a traffic engineer. He estimated that improvements to the Aurora Corridor north of

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Shoreline cost approximately \$7 million per mile and that improvements in Shoreline will cost \$25 million per mile. He stated that corridor capacity and safety are the same in the different locations, and he questioned the difference in cost. Moreover, he asserted that Council must reduce the costs of the Aurora Corridor Project in anticipation of likely decreases in gambling and sales tax revenues.

Councilmember Montgomery arrived at 7:40 p.m.

Mayor Jepsen expressed Council willingness to review the traffic study that Mr. Cottingham is conducting.

6. APPROVAL OF THE AGENDA

Councilmember Lee moved that Council approve the agenda. Councilmember Gustafson seconded the motion, which carried unanimously, and the agenda was approved.

7. CONSENT CALENDAR

Councilmember Ransom moved that Council approve the consent calendar after removing "Joint Dinner Meeting Minutes of September 10, 2001." Deputy Mayor Hansen seconded the motion, which carried unanimously, and the following items were approved:

Workshop Minutes of September 4, 2001

Approval of expenses and payroll as of September 14, 2001 in the amount of \$1,095,161.21

Ordinance No. 284 amending the budget to reclassify a position in the Public Works Department from an Administrative Assistant I to an Administrative Assistant II

Motion to authorize the City Manager to execute written approval of the transfer of the Seattle Public Utilities Franchises to the Ronald Wastewater District

Motion to authorize the City Manager to execute funding agreements with the Washington State Department of Transportation and with King County to receive funding for the Aurora Corridor Project

8. ACTION ITEMS: OTHER ORDINANCES, RESOLUTIONS AND MOTIONS

- (a) **Ordinance No. 286 rezoning and establishing a Comprehensive Plan Land Use Designation for a 1.22 acre parcel at Fremont and 182nd St.**

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Mr. Bauer reviewed the staff report. He said the owners of the subject property have executed the contract rezone, and the City may execute the contract rezone, pending Council authorization.

Mayor Jepsen invited public comment.

(1) Darlene Howe, 745 N 184th Street, urged Council "to vote as if it were your own house and your own neighborhood." She expressed concern that a Comprehensive Plan land use designation of "Mixed Use" would allow construction up to three stories.

(2) Naomi Hardy, 17256 Greenwood Place N, said the City did not involve the Richmond Highlands neighborhood in the preparation of the contract rezone with the property owners. She commented that neighborhood residents prefer a "Low Density" land use designation and R-6 zoning for the property.

(3) William Olason, DDS, identified himself as the developer of the medical dental complex at the property. He described the previous condition of the property and his efforts to improve it. He said the property "should be consistent with R-8 zoning."

(4) Brian Baxter, 704 N 184th Street, discussed the growing density in the neighborhood. He acknowledged the medical clinic as an asset to the community. He described crowded traffic conditions on Fremont Avenue. He expressed concern that changing the zoning of the property will facilitate higher-density development at the site.

(5) Mark Simons identified himself as an orthodontist with an office in the medical dental complex. He said the proposed contract rezone is almost identical to the rezone the County authorized for the property in 1988. He asserted that a change to R-6 zoning is unfair. He said the resulting legal non-conforming use status would "cloud" his investment.

Councilmember Gustafson moved that Council adopt the version of Ordinance No. 286 set forth in Attachment C and changing the land use designation of the property located at 701 N 182nd Street from R-48 to R-6. Deputy Mayor Hansen seconded the motion.

Mayor Jepsen said he understood the P-suffix rezoning the County approved to equate to a contract rezone limited to the medical dental building then proposed. He said he also understood that if the building were somehow destroyed the owners would have the opportunity to rebuild it and that the property would otherwise revert back to what was then RS-7200 zoning. City Attorney Ian Sievers agreed.

In response to Councilmember Lee, Mr. Sievers explained that if Council changes the zoning designation of the property to R-6, the building would be a legal non-conforming

use. Under the Shoreline Municipal Code (SMC), if the building burns down, the owners could rebuild it, provided they did so within a year. The owners would not have faced a one-year limit under the County code because the building was a permitted use under the contract zone.

Mr. Bauer clarified that the one-year limit under the SMC pertains to submitting an application for a permit to reconstruct a legal non-conforming use and that the applicant would have more than one year to rebuild the building.

In response to Councilmember Ransom, Mr. Bauer explained that the City cannot replicate the County rezone because the SMC does not allow contract rezones in a low density area. He said the City must change the land use designation to "Mixed Use" and change the zoning to R-8 to allow the contract rezone.

Councilmember Ransom commented that R-8 zoning "is low density by comparison to other mixed use." He said Council has rezoned property along Stone Avenue to R-8.

Councilmember Ransom acknowledged that Dr. Olason has improved the property from its former use. He said Council previously discussed allowing the owners the same rights they enjoyed under the P-suffix County zoning. He said this necessitates an R-8 zoning designation. He disagreed that R-6 zoning, with the designation of the building as a legal non-conforming use, provides the owners the same latitude. He mentioned requirements the owners would need to meet to do significant remodeling.

In response to Mayor Jepsen, Mr. Sievers said the owners would not need a conditional-use building permit to reconstruct the building according to the site plan. He explained that this requirement would apply only if the owner sought to expand the non-conforming use. He said Council would also have to approve an amendment to the site plan.

Tim Stewart, Planning and Development Services Director, said the only review necessary to approve a permit to reconstruct the building if it were destroyed "would be to make sure that the new building plans conform to the building code." He noted that the building would need to conform to the prior, legally-existing setbacks and the use would be limited to the prior, legally-existing land use. He clarified that expansion, not remodeling, would be problematic.

In response to Councilmember Ransom, Mr. Bauer said the proposed contract zone (Option 1) would limit development to the current use and site plan and, thereby, prohibit construction up to three stories. Mr. Stewart reiterated that proposed Option 2 would limit development to the prior, legal non-conforming use. He commented that either option would "effectively preserve the status quo." He identified the distinction between the options as the ability of the owners under Option 1 to modify the use or site plan. He noted that this would require a public hearing before the Planning Commission and a decision by Council.

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Councilmember Ransom asked if the owners could have added a second story under the P-suffix County zoning. Mr. Sievers said the P-suffix zoning limited development to the building footprints and elevations of the site plan.

Councilmember Grossman commented that the debate about the property focuses not on its current use but on possible future changes. He asked which of the two proposed options is "most similar to the bundle of rights . . . prior to the incorporation of Shoreline in the event the owners discontinued the current use." Mr. Stewart responded that the P-suffix County zoning would have permitted the equivalent of R-6 uses and designation after discontinuation.

Equating this to Option 2, Councilmember Ransom questioned the staff recommendation of Option 1. Mr. Bauer said staff responded to Council direction to work with the property owner to develop a contract rezone that best duplicated the P-suffix County zoning.

Deputy Mayor Hansen asserted his objective to duplicate the terms of the P-suffix County zoning. He noted the staff statement that the SMC does not allow contract rezones in a low density area. He identified Option 2 as "the next best thing" to his objective. He agreed that Dr. Olason has improved the property from its former use. He acknowledged the owners' concern that future changes to the Non-Conformance Section of the SMC could restrict their property rights.

Councilmember Gustafson noted his goal to preserve neighborhood character. He said R-6 zoning supports this goal while providing liberal non-conforming use standards for repair and remodeling. He reiterated his support for Option 2.

Councilmember Montgomery asked why neighborhood residents support Option 2 and the property owners support Option 1 if there isn't any substantive difference between the two options. Mr. Bauer said the proposed options are very similar as long as the current use continues. He went on to explain the differences between the options if the current use should change:

- Option 1 allows slightly more density because it permits redevelopment with R-8 uses under R-8 development standards. Option 1 also includes a "Mixed Use" designation, which could accommodate zones of higher density should the owners seek to rezone the property. Under Option 1, the medical dental complex would be a legal conforming use.
- Option 2 would change the zoning of the property to R-6 and make the medical dental complex a non-conforming use, subject to the current Non-Conformance Section of the SMC and any future changes to it. (While the difference between conforming and non-conforming uses is significant in some cities, the regulations of the Non-Conformance Section of the SMC are fairly liberal.) The limitations of R-6 zoning would apply to the property upon discontinuation of the current use. Should the owners seek to rezone the property, they would have to request changes in both the zoning and the land use designation (to a designation consistent with the proposed use).

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Mr. Bauer said the property owners had a secure conforming use under the P-suffix County zoning. He explained that Option 2 represents a change and increased risk. He attributed the concerns of neighborhood residents to the pace of change in the area and the potential for additional change under Option 1.

Councilmember Montgomery asserted the legitimacy of the concerns of both the neighborhood residents and the property owners.

In response to Councilmember Montgomery, Mr. Bauer said staff has not been able to identify a solution that is mutually agreeable to the property owners and the neighborhood residents.

Councilmember Ransom commented that Dr. Olason invested in the property in good faith, developed a good building and improved the area. He asserted that changing the zoning of the property to R-6 and making the medical dental complex a non-conforming use will discourage other investors who want to improve areas of Shoreline. He opposed Option 2, and he advocated Option 1.

Councilmember Lee asked why the zoning of the property cannot revert to R-6 upon discontinuation of the current use. Mr. Sievers said the land use designations in the Comprehensive Plan do not permit as wide a range of zoning as the County did when establishing the P-suffix zoning. Mr. Bauer explained that a contract office use and R-6 zoning are incompatible (contract office is not permitted in an area designated "Low Density;" although a contract office is permitted in an area designated "Mixed Use," the lowest density zoning possible in "Mixed Use" is R-8). He went on to say that an amendment to the Comprehensive Plan to include contract office uses under the "Low Density" designation would allow contract office uses in all areas of Shoreline designated "Low Density." He commented that the distinctions between the land use designations in the Comprehensive Plan make them more significant. He indicated that the County's land use designations were less significant because they included a broader range of uses.

Deputy Mayor Hansen said if a developer were seeking a contract rezone for an office in a low density area, he or she would have to apply for it, and the City would then have the opportunity to review the application.

Continuing, Deputy Mayor Hansen referenced County Ordinance No. 8498 and County File No. 106-88-R. He noted the restriction on the P-suffix zoning that "the use of this site should be limited to medical/dental offices or uses allowed in the RS-7200 zone." He asserted that the P-suffix zoning limited the owners to an R-6 zone. Councilmembers Lee and Gustafson agreed.

Deputy Mayor Hansen called the medical dental complex a "nice project" in "a nice neighborhood." He said it is not a problem currently, and it should not be taking Council time. He commented that he finds himself in the same quandary as 60 days before.

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Councilmember Ransom said he received four phone calls from neighborhood residents. He acknowledged their concerns. He reiterated that zoning the property R-6 and making the building a non-conforming use will discourage others from investing in Shoreline. He said Option 1 establishes "an R-8 type zone" and restricts the use of the property to medical dental offices. He recommended that Council oppose the motion implementing Option 2 and that Council adopt Option 1.

Deputy Mayor Hansen commented that he received 12 phone calls from neighborhood residents who supported R-6 zoning of the property.

Mayor Jepsen advocated "a P-suffix to an R-6 zone." He noted that the P-suffix includes an approved site plan and elevations and a restriction limiting use to medical dental offices or uses allowed in the RS-7200 zone. He said Council supports the rights the County granted the owners but does not want "to up zone the property beyond an RS-7200 zone." Mr. Sievers reiterated the concern about the consistency of the Comprehensive Plan land use designation and the zoning. Mayor Jepsen pointed out that the inconsistency already exists. He said Council seeks to maintain it.

Councilmember Grossman advocated a contract rezone with an underlying R-6 zone as a "one-time, one-shot" arrangement in "special, unique circumstances."

Mr. Bauer requested a five-minute recess to confer with Mr. Sievers and Mr. Stewart.

RECESS

At 8:35 p.m., Mayor Jepsen declared a recess until 8:40 p.m. At 8:42 p.m., the meeting reconvened.

In response to Mayor Jepsen, Mr. Bauer reported that staff explored the alternative of implementing a contract rezone with a "Low Density" land use designation and R-6 zoning. He said the alternative is possible, although it creates a small inconsistency between the Comprehensive Plan land use designation and the zoning. He noted that neither the owners nor the neighborhood residents supports the alternative. He said the owners do not want to relinquish R-8 zoning, and the residents of adjacent properties oppose a contract rezone.

Mr. Sievers recommended that if Council favors a contract including R-6 zoning, the contract also include a Comprehensive Plan land use designation of "Low Density." He said the Comprehensive Plan is a general blueprint of uses sought within land use designations. He noted that the City permits medical offices in R-6 and R-8 zones as a conditional use. He said a contract allowing a medical dental use in R-6 zoning is "not too far off from being consistent" with a Comprehensive Plan land use designation of "Low Density."

Councilmember Lee supported the "middle option" (i.e., a contract rezone with a "Low Density" land use designation and R-6 zoning). She said she would support Option 1 if

the complex were located at the corner of 182nd Street and Linden Avenue. She explained that she supports R-6 zoning for the property "because it's smack in the middle of all of the R-8 zoning." She stressed that the City is not approving a new medical dental center. She said the facility was a "black sheep" under County codes, and the City is proposing to maintain it as one under its own codes.

Councilmember Grossman agreed. He said a contract rezone with R-6 zoning and a "Low Density" Comprehensive Plan land use designation "most closely mirrors the bundle of rights" the property owners had before Shoreline incorporated. Additionally, he said such a contract rezone is consistent with the process the owners underwent to obtain the P-suffix County zoning. He expressed his lack of concern with the slight inconsistency. He noted that any other project involving an office use, R-6 zoning and a "Low Density" land use designation would have to come before Council.

Mr. Bauer explained the steps necessary to achieve the "middle option" of a contract rezone with a "Low Density" land use designation and R-6 zoning: 1) a Council motion to adopt Ordinance No. 286 as shown on Attachment B; 2) a Council amendment to the ordinance to delete Section 1 (and renumber the subsequent sections); and 3) a Council amendment to "3. Uses" in Exhibit A (page 35) to replace "R-8" with "R-6." He said the amendments of Attachment B and Exhibit A will establish a Comprehensive Plan land use designation of "Low Density" and a reversion to an "R-6" zone at the cessation of the current use.

In response to Deputy Mayor Hansen, Mr. Sievers confirmed that the medical dental complex would be a permitted, conforming use under the proposal Mr. Bauer described. Mr. Bauer said someone would have to take the City to the Growth Management Hearings Board to challenge whether the contract use is consistent with the City's Comprehensive Plan.

Councilmember Gustafson withdrew his motion, and Deputy Mayor Hansen withdrew his second.

Councilmember Gustafson moved that Council adopt the version of Ordinance No. 286 set forth in Attachment B with the following amendments:

- **strike Section 1 and renumber the subsequent sections; and**
- **replace "R-8" with "R-6" in "3. Uses" in Exhibit A.**

Councilmember Lee seconded the motion, which carried 7-0, and Ordinance No. 286, as amended, was adopted.

Councilmember Ransom explained that he voted for the amended ordinance as the best possible compromise in the situation. He asserted that it will not "be a happy fit in the long run." He said R-8 zoning would have been a better choice. He reiterated his acceptance of the amended ordinance as the only reasonable compromise.

9. CONTINUED PUBLIC COMMENT

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(a) Connie King, 217 NW 177th Street, read a letter she received from City of SeaTac Mayor Shirley Thompson. Mayor Thompson discussed City of SeaTac improvements to Highway 99 and encouraged Shoreline to undertake similar improvements to Highway 99.

(b) Nat Penrose, The Highlands, said Mayor Jepsen and City staff provided a presentation on the Aurora Corridor Project to residents of The Highlands on November 28, 2000. He noted his letter of January 29, 2001 in which he conveyed the recommendation of the neighborhood that the City proceed with the Aurora Corridor Project. He reaffirmed the comments in his letter and urged Council to proceed with the Aurora Corridor Project.

(c) Dale Wright, 18546 Burke Avenue N, discussed two Georgia Department of Transportation studies of the safety advantages of raised medians over two-way left-turn lanes. He said Citizens for a Safer Aurora emphatically support the raised median design of the Aurora Corridor Project.

(d) Ken Cottingham, 350 NW 175th Street, said Aurora Avenue accident data does not distinguish accidents that occur in the two-way left-turn lane. He recommended that the City install street lights on existing poles on the west side of Aurora Avenue. He stressed the value of additional illumination during the construction of the Aurora Corridor Project.

(e) Jim Shea, 16309 Interlake Avenue N, asserted that political candidates and their support groups have disseminated misinformation and practiced unethical behavior during the current campaign season. He said one candidate, who is supported by the Aurora Improvement Council (AIC), has admitted to stealing other candidates' yard signs. He expressed concern about the amount of AIC financial support for candidate campaigns. He supported an election process that allows candidates to compete "on equal footing." He exhorted candidates to ascribe to ethical behavior and to respect the property of others.

10. ADJOURNMENT

At 9:10 p.m., Mayor Jepsen declared the meeting adjourned.

Sharon Mattioli, CMC
City Clerk