



AMENDED AGENDA

SHORELINE CITY COUNCIL WORKSHOP DINNER MEETING

Monday, July 24, 2006
6:00 p.m.

Shoreline Conference Center
Highlander Room

TOPICS/GUESTS: • City Manager Evaluation Criteria, Dick Cushing
• SeaShore Agreement

SHORELINE CITY COUNCIL BUSINESS MEETING

Monday, July 24, 2006
7:30 p.m.

Shoreline Conference Center
Mt. Rainier Room

	<u>Page</u>	<u>Estimated Time</u>
1. CALL TO ORDER		7:30
2. FLAG SALUTE/ROLL CALL		7:30
(a) Proclamation for "Celebrate Shoreline"	<u>1</u>	
(b) Proclamation for "Parks, Recreation, and Cultural Services Month"	<u>3</u>	
3. REPORT OF THE CITY MANAGER		7:40
4. REPORTS OF BOARDS AND COMMISSIONS		7:43
5. GENERAL PUBLIC COMMENT		7:45
<i>This is an opportunity for the public to address the Council on topics other than those listed on the agenda, and which are not of a quasi-judicial nature. The public may comment for up to three minutes; the Public Comment under Item 5 will be limited to a maximum period of 30 minutes. The public may also comment for up to three minutes on agenda items following each staff report. The total public comment period on each agenda item is limited to 20 minutes. In all cases, speakers are asked to come to the front of the room to have their comments recorded. Speakers should clearly state their name and city of residence.</i>		
6. APPROVAL OF THE AGENDA		7:58
7. CONSENT CALENDAR		7:59
(a) Minutes of Regular Meeting of May 22, 2006	<u>5</u>	
Minutes of Study Session of June 19, 2006	<u>23</u>	

Minutes of Business Meeting of June 26, 2006	<u>41</u>
(b) Approval of expenses and payroll as of July 14, 2006 in the amount of \$3,668,891.36	<u>53</u>
(c) Approval of Contract for Parks Landscape and Maintenance Services	<u>55</u>
(d) Motion to Authorize the City Manager \$20,000 in Additional Contract Contingency Authority and to Execute a Contract Amendment with KBA to Extend Construction Management	<u>61</u>

8. ACTION ITEM: PUBLIC HEARING

8:00

Public hearings are held to receive public comment on important matters before the Council. Speakers wishing to speak should sign in on the form provided. After being recognized by the Mayor, speakers should approach the lectern and provide their name and city of residence. Individuals may speak for three minutes, or five minutes when presenting the official position of a State registered non-profit organization, agency, or City-recognized organization. Public hearings should commence at approximately 8:00 p.m.

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| (a) Public hearing to receive citizens' comments on the Six-Year 2007-2012 Capital Improvement Program (CIP) | <u>67</u> |
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(This hearing was continued from the Council meetings of July 10 and July 18)

9. ACTION ITEMS: OTHER ORDINANCES, RESOLUTIONS AND MOTIONS

8:00

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| (a) Ordinance No. 431 amending the City's Official Zoning Map Tile Number 451 changing the Zoning from Residential 8 DU-AC (R-8) to Residential 12 DU-AC (R-12) of one parcel located at 18016 Stone Avenue N (Parcel Number 7276100285) | <u>75</u> |
| (b) Ordinance No. 437 adopting an eight month reduction in the City Gambling Tax on Social Card Rooms to 9% of Gross Receipts; and amending SMC 3.30.020 | <u>129</u> |
| (c) Resolution No. 248 adopting a Six-Year (2007-2012) Transportation Improvement Program (TIP) and directing the same to be filed with the State Secretary of Transportation and Transportation Improvement Board | <u>63</u> |

(This is a quasi-judicial item for which the Council does not take public comment).

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| (d) Ordinance No. 436 adopting the Six-Year 2007-2012 Capital Improvement Program (CIP) | <u>67</u> |
| (e) <u>Ordinance No. 434 amending the Shoreline Municipal Code to update Regulations relating to Tree Cutting, amending SMC 20.50.310 regarding Exemptions from Permit Requirements for Hazardous Trees</u> | <u>135</u> |

10. ADJOURNMENT

10:00

The Council meeting is wheelchair accessible. Any person requiring a disability accommodation should contact the City Clerk's Office at 546-8919 in advance for more information. For TTY service, call 546-0457. For up-to-date information on future agendas, call 546-2190 or see the web page at www.cityofshoreline.com. Council meetings are shown on Comcast Cable Services Channel 21 Tuesdays at 12pm and 8pm, and Wednesday through Sunday at 6 a.m., 12 noon and 8 p.m.

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE: Proclamation for "Celebrate Shoreline"
DEPARTMENT: Parks, Recreation and Cultural Services
PRESENTED BY: Lynn M. Cheeney, Recreation Superintendent

PROBLEM/ISSUE STATEMENT:

Every year the City of Shoreline celebrates its incorporation with an event that brings together citizens, community leaders, agencies and businesses. This year's three day event begins on Friday with a celebration of youth at the Skate Park followed by the Rotary Run/ Walk, big parade along 15th Ave NE and community festival at Ridgecrest Elementary on Saturday, and a sand sculpture contest at Richmond Beach Saltwater Park on Sunday.

These events have been coordinated by a hard-working and creative citizens committee which has worked with staff to design a great community celebration. Tonight members of the committee will be present to accept the proclamation.

RECOMMENDATION

No action is required.

Approved By: City Manager  City Attorney _____



PROCLAMATION

WHEREAS, the City of Shoreline is proud of its history and created "Celebrate Shoreline" after incorporation as an annual event to bring together residents, community leaders, agencies, and businesses to celebrate all the things that make our city such a great place to live and work; and

WHEREAS, this year Celebrate Shoreline will be a three-day event, with a celebration for youth on Friday, August 18th, at the Paramount School Park Skate facility; and

WHEREAS, on Saturday, August 19th, there will be a parade in North City and a community festival at Ridgecrest Elementary School; and

WHEREAS, Celebrate Shoreline will conclude with a sand sculpture contest to take place at Richmond Beach Saltwater Park on Sunday, August 20th; and

WHEREAS, a citizens committee of Shoreline residents has worked diligently over the past eight months to help coordinate this year's events;

NOW, THEREFORE, I, Robert L. Ransom, Mayor of the City of Shoreline, on behalf of the Shoreline City Council, do hereby proclaim August 18th, 19th and 20th 2006 as a time to

CELEBRATE SHORELINE

and encourage all citizens in Shoreline to participate in the many activities that will take place during this celebration.

Robert L. Ransom
Mayor of Shoreline

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE: Proclamation for "Parks, Recreation and Cultural Services Month"
DEPARTMENT: Parks, Recreation and Cultural Services
PRESENTED BY: Lynn M. Cheeney, Recreation Superintendent

PROBLEM/ISSUE STATEMENT:

July is National Parks and Recreation Month. This is an opportunity to acknowledge the many agencies in our community that provide facilities, programs, and opportunities to enrich the lives of local residents. Tonight, our Camp Shoreline Directors and some of our participants will attend the meeting to accept the proclamation. This summer over 125 children are enrolled in Camp Shoreline at the Spartan Recreation Center and Meridian Park Elementary School.

Other agencies being recognized tonight include the Shoreline/Lake Forest Park Arts Council, King County Library System, Shoreline Historical Museum, Little Leagues, soccer clubs, the Shoreline School District and the Shoreline South County YMCA. All these organizations, working together, allow both youth and adults to choose a variety of recreation and cultural activities to develop skills and encourage healthier life styles.

RECOMMENDATION

No action is required.

Approved By: City Manager  City Attorney _____



PROCLAMATION

WHEREAS, the City of Shoreline in cooperation with local agencies strive to provide facilities, programs, and cultural opportunities to enrich the lives of residents in our community; and

WHEREAS, it has been proven that youth who participate in a variety of recreational and cultural activities develop lifetime skills and healthier lifestyles; and

WHEREAS, facilities such as the Spartan Recreation Center, Richmond Highlands Recreation Center, Shoreline Pool, and public schools provide opportunities for active and passive recreational pursuits; and

WHEREAS, agencies such as the City of Shoreline Parks, Recreation, and Cultural Services Department; Little Leagues; soccer clubs; Junior Football, the Shoreline School District and the Shoreline YMCA offer a variety of fitness, health and educational activities for youth in our community; and

WHEREAS, special events such as Celebrate Shoreline, Shoreline Arts Festival, Swingin' Summer Eve, and Concerts in the Parks provide entertainment and enrich the lives of citizens of all ages; and

WHEREAS, the Shoreline-Lake Forest Park Arts Council, King County Library System, the Shoreline-Lake Forest Park Senior Center and the Shoreline Historical Museum, provide opportunities to enjoy a variety of educational and cultural programs for all ages; and

WHEREAS, the City of Shoreline manages and maintains over 375 acres of parks, greenways, open spaces, and several miles of trails located throughout the community for exercise and enjoyment of the beautiful natural setting;

NOW, THEREFORE, I, Robert L. Ransom, Mayor of the City of Shoreline, on behalf of the Shoreline City Council, do hereby proclaim the month of July 2006 as

PARKS, RECREATION AND CULTURAL SERVICES MONTH

in the City of Shoreline and encourage our citizens to celebrate by enjoying what their community has to offer by taking part in their favorite sport or activity, visiting a park or spending time with friends and family.

Robert L. Ransom
Mayor of Shoreline

DRAFT

CITY OF SHORELINE

**SHORELINE CITY COUNCIL
SUMMARY MINUTES OF REGULAR MEETING**

Monday, May 22, 2006
7:30 p.m.

Shoreline Conference Center
Mt. Rainier Room

PRESENT: Mayor Ransom, Deputy Mayor Fimia, and Councilmembers Gustafson, Hansen, McGlashan, Ryu, and Way

ABSENT: none

1. CALL TO ORDER

The meeting was called to order at 7:40 p.m. by Mayor Ransom, who presided.

2. FLAG SALUTE/ROLL CALL

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

(a) Proclamation of "Armed Forces Appreciation Week"

Mayor Ransom read the proclamation and declared the week of May 22 – 29, 2006 as "Armed Forces Appreciation Week" in the City of Shoreline.

Tom Hamilton, Vice Commander for the Shoreline American Legion Post 227 invited the attendees for a Memorial Day luncheon at the Post that day.

Virginia Harvey presented Mayor Ransom with a poppy. She noted that the poppy program has been going on for 70 years to remind America that millions of servicemen have lost their lives for our country. She explained that the poppies were first recognized on the battlefield by World War I soldiers and it became a symbol of their efforts and a silent memorial to those who had lost their lives. Every year in May this program is carried on and the donations received are used for the rehabilitation and assistance for veterans and their families.

Bob Nelson, Adjutant and Shirley Nelson, Treasurer, were also in attendance for the presentation.

(b) Recognition of Citizens for Shoreline Parks

Mayor Ransom read a proclamation and declared May 22, 2006 as “A Day to Honor the Citizen’s For Shoreline Parks Committee.” He congratulated the Citizen for Shoreline Parks Committee for their hard work and thanked the citizens of Shoreline.

Mr. Bill Clements thanked the Council and the citizens of Shoreline. He thanked the volunteers and acknowledged Mayor Ransom and Councilmember Gustafson for their support of the trails and parks in Shoreline since 2003. He thanked Assistant City Manager Julie Modrzejewski and Parks, Recreation and Cultural Services Director Dick Deal for their support.

Shari Winstead-Tracy thanked and congratulated the citizens and volunteers of the City. She presented LaNita Wacker with a bouquet of flowers for her efforts in helping pass the bond. She thanked Councilmember Way, Deputy Mayor Fimia, Betty Lennon, Charlie Brown, and Vicki West for their assistance in getting this bond passed. Ms. Winstead-Tracy announced there would be a celebration party at the Shoreline Museum on May 24th from 7:00 – 8:30 p.m.

3. CITY MANAGER’S REPORT

Julie Modrzejewski, Assistant City Manager, thanked the citizens for their support of the bond and outlined that the projects will be implemented in the next 3 – 5 years. She also highlighted that any land acquisition proposals would involve a public process. She reported on the following items:

- Hidden Lake Sewer Project Open House will be from 6:30 p.m. – 8:30 p.m. on May 24th at Sunset Elementary School for all residents.
- Aurora Corridor Project Update – bridge girders were installed the night of May 19th with approximately 200 spectators in attendance. The next bridge installation is estimated for the month of July.
- North City Business District Update – 48 trees have been planted along 15th Avenue and an additional 16 trees will be placed in the near future. Work continues on the stamped concrete, utility connections, and private property restoration with substantial completion projected to occur at the end of June.
- City Hall offices will be closed on May 29th in observance of Memorial Day and the next City Council meeting will be held June 5th.
- Based on the concerns about the winery in Shoreline, the applicant has requested that the liquor control board remove her application. As requested by the Council, the City Manager sent the board a letter voicing the City’s disapproval of the application.

Councilmember Way added that she attended the girder installation event and asked if there were going to be any other large items being brought in at that location. She also inquired if there was some day other than Friday this type of work could take place.

Kirk McKinley, Aurora Corridor and Interurban Trail Project Manager, said that there are 30-foot glass panels that will be delivered in sections of three. This, he said, will not shut

down Aurora Avenue but 155th Street NE will be closed for the installation of the panels; however, a detour is planned.

4. PUBLIC COMMENT

(a) LaNita Wacker, Shoreline, noted that she worked on the Forward Thrust bond issue about 39 years ago. She highlighted the efforts of Bill Clements, Sheri Winstead-Tracy, and many others who all have worked hard to get the parks bond adopted. Additionally, the students at Shorecrest High School collected over 300 signatures in support of the bond measure. She added that 82-year-old Audrey Jacobsen is a great volunteer who has logged over 300 phone calls to residents in support of the bond.

(b) Wendy DiPeso, Shoreline, said she went to the Planning Commission meeting on Friday and one of the subjects discussed was whether or not the original intent of the Innis Arden (IA) Covenant was to include the right to cut trees in critical areas. She noted that these covenants were established prior to the adoption of the Growth Management Act. She added that there are Innis Arden residents who believe that the City is taking from them and are ready to sue the City. However, if the City changes the Critical Areas Ordinance (CAO) to appease IA then the City will be held liable by the State. She felt that the laws of the State take precedence over the covenants. Additionally, she noted that if the CAO is changed it will affect several other areas in the City, not just Innis Arden.

(c) Gretchen Atkinson, Shoreline, announced that the North City Business Association (NCBA) is hosting its 4th Annual Corvette Car Show. In addition, the NCBA and the businesses of North City have decided to have a "Chalk Art" festival with a music walk and a sidewalk sales event.

(d) Vance McElmurry, Shoreline, agreed with Deputy Mayor Fimia's comment at the last Council meeting about the book "Don't Tell Us What To Do, Just Send Us Money." He noted that the City of Shoreline has over 53,000 residents, 20,000 are adults, 10,000 voted for the bond, and only 7,100 voted in favor of the bond issue. He said that doesn't demonstrate what the people want in the City. Continuing, he said the interior maintenance code outlines what fences should look like, what your cars should look like, and he is opposed to any legislation that dictates what your houses should look like. He said Shoreline is a great place to live so sometimes there isn't anything that needs to be fixed.

Mayor Ransom inquired if the City has received a letter from the Innis Arden Club (IAC).

Ian Sievers, City Attorney, said the IAC members feel that restricting cutting conflicts with their covenants and is subject to legal challenge. He said he and the Planning Director are preparing a formal letter which will be forwarded to the Council when finished. He announced that no legal action has been received by the City at this point.

Mayor Ransom asked the Planning Director to respond to the interior code question.

Joe Tovar, Planning and Development Services Director, said he would be free to discuss the issue with the residents and report back to the Council.

Mr. Sievers said this was addressed months ago and they were rejected by the Council for now. However, they will be reviewed in the future.

Deputy Mayor Fimia added that the scope of the interior codes would be narrow and cover related safety and health issues only.

Mr. Sievers added that there may be some aesthetic standards, i.e., cracked windows, chipped paint, etc. He said if the City adopts the full interior code standards there would be some language about aesthetics included.

6. APPROVAL OF THE AGENDA

Councilmember Gustafson moved approval of the agenda, pulling the minutes from April 10, 2006, and items 7(d), 7(e), 7(g), and 7(h) from the consent calendar.

Councilmember Hansen seconded the motion, which carried 7-0.

7. CONSENT CALENDAR

Councilmember Hansen moved approval of the consent calendar as amended.

Councilmember Gustafson seconded the motion, which carried 7-0, and the following items were approved:

Minutes of Workshop of May 1, 2006

Minutes of Dinner Meeting of May 8, 2006

**Approval of expenses and payroll as of May 10,
2006 in the amount of \$1,072,963.42**

**Approval of Ridgecrest Neighborhood Association Mini-Grant
Project**

**Authorizing the City Manager to Execute a Discretionary
Work Request with King County for the 2006 Road
Overlay Program**

**Resolution No. 245, approving the Final Subdivision for
Cedar Heights Town Homes at 19021 15th Avenue NE**

**Approval of Integra Telecom Holdings, Inc.'s purchase of
ownership interests of franchisee Electric Lightwave, LLC**

8. ACTION ITEMS: OTHER ORDINANCES, RESOLUTIONS AND MOTIONS

- (a) Authorizing the City Manager to Execute a 3-Year Contract with Community Capital Development

Ms. Modrzejewski introduced Economic Development Director Tom Boydell and Jim Thomas from Community Capital Development (CCD), who would present this item utilizing PowerPoint slides.

Mr. Thomas outlined that CCD supports those businesses who normally cannot obtain regular commercial loans through banks. He noted that CCD is flexible and looks at every aspect of the businesses to assist them. He said they also coach and mentor the businesses who secure loans to ensure they are profitable. The key to CCD's success over the past nine years, he said, is their organizational structure, the involvement of their board of directors, their training program, their underwriting, and their economic development partners. Accomplishments include 388 loans to "non-bankable" businesses and providing technical assistance to almost 7,000 small business owners. He noted that 80% of their loans have been given to minority and women-owned businesses.

Mr. Boydell outlined that the City has developed a lower-cost contract than other municipalities. The goal of the contract is for this program to be self-sustaining after three years. He translated that this means the cost of the program would be between \$75,000 - \$100,000 per year. Every year the City would reduce its commitment while CCD acquires more clients. The role of the City funding is not to provide loan capital, it is to subsidize the cost of dedicated staff to bring into play various programs in the area. Currently, this program is active in Seattle, Edmonds, and Everett.

Mayor Ransom called for public comment.

(a) Mark Deutsch, Shoreline, stated he is in support of the program. He said it seems that the program is supporting neighborhood business districts. He added that the program has a good model and does a good job at measures and looking at outcomes. He encouraged CCD to connect with other groups, including Shoreline Community College and Cascadia.

Councilmember Gustafson moved to authorize the City Manager to execute the three-year contract with Community Capital Development. Councilmember Hansen seconded the motion.

Councilmember Hansen inquired if CCD worked with SCORE.

Mr. Thomas responded that the CCD does work with SCORE. He added that SCORE provides a significant amount of CCD's management expertise for start-ups or new business owners.

Councilmember Hansen inquired what the term “self-sustaining” referred to.

Mr. Thomas replied that in the three years there should be enough loans out in Shoreline that a person can be kept here at a small business development center funded by the interest from the loans. All of the other cities who have executed contracts with CCD currently have the business centers that are self-sustaining. He said CCD borrows from the banks with some level of interest and CRA credits. Eventually, these businesses are graduated to the banks and CCD sells the loans.

Councilmember Hansen expressed support for the program, adding that \$150,000 should fund employees for the three year period and then they will be funded out of the interest income revenue from the loans.

Councilmember Gustafson supported the program and is extremely excited that it involves the neighborhood businesses, which is important to the Council. He also inquired if the partnerships can be extended to the University of Washington, North Seattle Community College, Seattle Pacific University, and Cascadia.

Mr. Thomas responded that those institutions are involved and the Director of Business Economic Development Center at the University of Washington is on the CCD Board of Directors.

Councilmember Gustafson felt it would be prudent to advertise the partnership with the University of Washington. He supported the program and said the Council should proceed.

Councilmember Ryu thanked Mr. Boydell for addressing her questions. She stated that the pilot program has been in place for five months and has cost \$3,000 per month. She inquired about the survey results.

Mr. Boydell stated that there were 100 surveys done in North City and over 200 in all. For reasons of confidentiality, he explained, they look at the results and summarize them for program planning.

Councilmember Ryu inquired if there is a way of obtaining more survey results.

Mr. Boydell said the survey solicits general information and that is how proprietary information is kept confidential for the businesses.

Councilmember Ryu appreciated the focus on minority and women-owned businesses. She inquired about a particular loan that is scheduled to close in the next few days.

Mr. Thomas said it is not a minority business that has that particular loan. He said the loan is in the \$30,000 - \$50,000 range and that particular business employs three minority employees.

Councilmember Ryu inquired about training sessions for small business owners.

Mr. Boydell replied that they have set up a program called "Tools for Success" that feature two training programs that are specifically tailored for businesses that were impacted by the Interurban Trail implementation. The program was also available for a few other businesses. Both classes had moderate success and it was decided to pay more attention to one-on-one assistance, which covered initial relationship-building and becoming known in the Shoreline community.

Councilmember Ryu asked if the target audience was the non-bankable portion of the business community. She inquired if the six banks that are providing the funding for this program are in the City of Shoreline.

Mr. Thomas replied that the banks are Key Bank and Wells Fargo. Currently, the Bank of America is looking at a proposal from the CCD also. He added that the CCD has not approached the Shoreline Bank for loan funds.

Mr. Boydell said the Shoreline Bank is not a fund provider, but it is aware of the program and supports the proposal.

Councilmember Ryu inquired why the Council should provide money to CCD when there are banks that are "hungry" for the business.

Mr. Thomas replied that banks cannot loan money to people who have bankruptcies. The CCD has this ability, once they analyze a person's ability to run a business.

Mr. Boydell added that banks look at what is on the books for a business, not the business owner as a person and their financial situation and resources. He said the expandability of services that CCD offers cannot be offered by banks.

Councilmember Ryu noted that in the first mile of the Aurora Avenue Corridor Project there were several businesses that went out of business. She wished more had been done for those businesses. She questioned whether doing five months of the pilot project was enough time.

Mr. Boydell said there was some misinformation distributed in the community about the CCD. In order to inform the community, he said there is a training session scheduled for City staff at the end of June, and there have been discussions about going door-to-door to inform the community about CCD. They will also develop brochures as well as a full marketing and training piece.

Councilmember McGlashan wanted to know if this funding will be for existing businesses only.

Mr. Boydell clarified that it is for both existing and start-up businesses.

Councilmember McGlashan inquired when the loan gets sold and when does a business “graduate” out from the program.

Mr. Thomas replied there is no set formula, but once CCD determines they are ready, they are offered the opportunity to obtain a loan at a lower interest rate from a local bank. He characterized CCD as the “farm team” for the banking industry. Their job is to train business owners and move them off to commercial banks.

Councilmember Way said she is excited about “incubator businesses,” noting that this concept should be brought to the Renewable Energy Fair this summer. She inquired how jobs are created through this program.

Mr. Thomas said operational capital is loaned so the businesses can hire employees and train them.

Ms. Chi Chen, a loan officer for CCD, added that there is a lot of “hand-holding” and cash flow projections done for these businesses.

Councilmember Way stated that it would be interesting to see how well this program will do in the long run. The Council wants CCD to be self-supporting in Shoreline, she said. She inquired about their ability to be self-sufficient in the future and whether or not CCD would have an office in Shoreline soon.

Mr. Thomas replied that CCD will be developing enough business in the future to cover the costs of a staff person and after three years no contract should be necessary. The equilibrium to execute this based on the loan portfolio is \$1 million to \$1.5 million dollars worth of loans. He added that there would be a business community center located in Shoreline, run by the CCD in partnership with the community college or with one of the other economic development groups.

Mr. Boydell added that the first goal would be to create a small office and a training space, perhaps along the Aurora Corridor.

Councilmember Ryu asked if there would be additional costs that the Council must provide for the office space.

Mr. Boydell replied that it will be a part of the equity development program budget.

Deputy Mayor Fimia questioned if CCD has had any experience assisting businesses that have been impacted by construction. She also inquired if there was a fee for the business technical assistance and whether or not there is assistance for non-English speaking owners.

Mr. Thomas responded that they did have experience with businesses that have lost revenue because of construction. He continued that there is no fee for entrepreneurs and

they have people who speak Mandarin, Cantonese, Vietnamese, and Spanish who are ready to assist customers.

Deputy Mayor Fimia asked if there was a model for interest-free revolving loans and what role the Chambers of Commerce plays in other jurisdictions. She also expressed concerns for project target goals, noting that they seem low.

Mr. Thomas replied that this model is not available in the State of Washington. He said Chambers from other jurisdictions provide significant referrals and meeting space and seminar locations for the organization. He stated that the project target goals were set at the minimum acceptable levels.

Mayor Ransom inquired if CCD was a non-profit organization.

Mr. Thomas responded that it is a non-profit Washington State chartered organization which is certified by the United States Department of Treasury and regulated by the Washington State Banking Institution.

Mayor Ransom asked for pertinent information concerning CCD, including its total asset value and the number of employees.

Mr. Thomas replied that CCD has 21 employees in Western Washington in three locations (Seattle, Edmonds, and Marysville). He continued that there are five different loan programs, one of which is statewide. The CCD has combined assets of \$12 million, of which \$7 million is in outstanding loans.

Mayor Ransom asked if the \$75,000 budget for the Economic Development Program was approved for 2006.

Mr. Boydell replied that it was approved and budgeted and CCD knows that every year this program is contingent on budget approval.

Councilmember Hansen asked what the loan loss ratio was for the CCD.

Mr. Thomas stated that they presently collect on 95% of their loans.

Councilmember Hansen stated that the figures are slightly larger than what was quoted and clarified that they were eight months old. He referred to Deputy Mayor Fimia's inquiry about fees for management and accounting classes and concluded that there weren't fees charged to entrepreneurs.

Mr. Thomas added that there are QuickBooks classes that are given for approximately 25-35 dollars per student.

Councilmember Hansen asked if CCD did Small Business Association (SBA) guaranteed or direct SBA loans.

Mr. Thomas replied that they issue both types. He added that the average loan amount is \$35,000 - \$50,000 and the smallest loan is for \$3,000.

Councilmember Ryu is concerned about the five-month deliverables where the City paid out \$15,000 per month as part of the pilot project. She added that the first five months were critical and some businesses had to close. She asked if there were any alternative programs with a proven track record.

Mr. Boydell said the City “dove into the idea” to set up programs to help small businesses, and he reached out to different contractors within the City budget. He noted that he had to stretch the \$15,000 and needed time to make connections and relationships. However, he said the results needed to be done quickly in order to procure additional funding from the Council. He said the CCD is a unique creation in the Puget Sound region and there are five other cities attempting to recreate their model.

A vote was taken on the motion to authorize the City Manager to execute the three-year contract with Community Capital Development which carried 7-0.

(b) 2006 First Quarter Financial Report

Debbie Tarry, Finance Director, noted that the Council is reviewing this information to keep the Council up-to-date on the financial status of the City after the first quarter of activity. She added that there are a number of items that the Finance Department does not get information about during the first quarter. For example, a number of revenue sources such as gambling tax are not reported until April 30th each year. She presented the following information:

General Fund

- Actual Revenues 0.35% above projected revenues
- Actual Expenditures 2.83% above projected expenditures

Street Fund

- Actual Revenues 4.1% above projected revenues
- Actual Expenditures 22.41% above projected expenditures

General Fund Highlights

- Revenues 0.35% or \$12,401 just slightly above projections
- Sales Tax below projections by 0.53% or \$5,477 and Utility Tax/Fee above projections by 11.37% or \$72,347

(There are currently 135 people enrolled in the City’s utility tax exemption program)

- Park/Recreation fee revenue over projections by 21.33% or \$41,170
- Permit revenue above projections by 24.07% or \$59,371
- Overall General Fund Revenues are tracking at projected levels
- Expenditures 5.63% or \$232,732 below projections

- Delay in billing for contracted services
- Lower than expected utilization of professional services agreements
- Jail costs projected to exceed budget by \$400,446, if current trends continue
- Jail costs increased rapidly in the first half of 2005 and have continued into 2006
- Number of jail days used has increased dramatically in 2006
- Gambling Tax projected to receive \$732,625, actual revenue equaled \$468,713. The reason is that Goldies did not remit their estimated payment of \$181,000 and their overall card room receipts are down by 14.27% (\$70,000)
- All but one casino experienced a drop in gross gambling receipts

Summary

- Overall operating revenues are right at projections and expenditures are tracking under projections
- Watch List:
 - Jail Costs
 - Gambling Tax Revenue
 - Sales Tax Revenue
- Too early to adjust 2006 projections

Mayor Ransom commented that there is one judge in the King County system that issues longer sentences.

Ms. Tarry stated that the City's numbers do not reflect any changes, however, there are more people being incarcerated based on increased enforcement.

Councilmember Way inquired if the delayed franchise fee payment from Seattle City Light (SCL) is related to the reduction in the 1st quarter franchise fee receipt numbers.

Ms. Tarry responded that the payment is delayed and this reflects a reduction in revenue for the quarter.

Councilmember Ryu inquired if this is related to the 6% franchise fee that SCL is authorized to charge ratepayers.

Ms. Tarry explained that SCL charges ratepayers a 6% excise tax which goes to the City of Seattle General Fund. In addition, the City's contract with SCL allows them to pay the City a contract payment of 6% of the power portion of the electric fees.

Deputy Mayor Fimia noted that the potential overage on jail costs could be \$400,000, and the reason this is happening must be determined. She thought it may be the time for some prevention and treatment in order to reduce crime. She also suggested that this be added as a part of the Council's adopted goals. First, she said there needs to be a team brought together to focus on why this is happening and then, based on what the problem is, develop a set of solutions.

MEETING EXTENSION

At 9:58 p.m., Deputy Mayor Fimia moved to extend the meeting until 11:00 p.m. Councilmember Ryu seconded the motion, which carried 7-0.

Ms. Tarry continued by discussing the declining card room revenues in the City, noting the gambling industry is blaming the decline on the state smoking ban.

Mayor Ransom added that the City of Everett is seeing a decline also, noting that three of their casinos have closed due to the revenue losses.

Ms. Tarry pointed out that cardroom revenues were not a major part of their budget and they weren't aware the casinos were closing, so they did not conduct any research on the declining revenues. She stated if the losses become an ongoing trend into the second quarter, then staff would consider the need for a budget adjustment.

Responding to Mayor Ransom, Ms. Tarry said she would investigate the cause of the State's \$1.6 billion dollar surge in revenue.

Regarding permit revenue, she said the City is issuing the same number of permits as last year, but they are mostly residential, as opposed to commercial. Therefore, there is less revenue.

Councilmember Hansen asked if the buyout of the previous City Manager was represented in the First Quarter documentation.

Ms. Tarry responded that it was reflected in 2005 and not included in these numbers.

- (c) Authorizing the City Manager to Execute a Discretionary Work Request with King County for the 2006 Road Overlay Program

Councilmember Hansen moved to authorize the City Manager to Execute a Discretionary Work Request with King County for the 2006 Road Overlay Program. Councilmember Ryu seconded the motion.

Councilmember Way noted that there was a pothole along Paramount Park.

Mr. Jesus Sanchez said that pothole would be repaired during the week.

Councilmember Gustafson said he has called Public Works at (206) 546-1700 and they will respond.

Councilmember Hansen concurred with Councilmember Gustafson and thanked Public Works for the job they are doing.

A vote was taken on the motion, which carried 7-0.

- (d) Resolution No. 245, approving the Final Subdivision for Cedar Heights Town Homes at 19021 15th Avenue NE

Councilmember Hansen moved to adopt Resolution No. 245 approving the Final Subdivision for Cedar Heights Town Homes at 19021 15th Avenue NE.

Councilmember McGlashan seconded the motion.

Councilmember Way inquired why this item is coming back to the City Council after it has been approved by the Planning Commission and the City Council two years ago.

Paul Cohen, Senior Planner, responded that the developer has built some structures without getting the subdivision legal and it has taken him one to two years to get where he is now. He added that there are numerous permits and issues with this subdivision.

Councilmember Way inquired what would prevent them from getting subdivision approval now that everything is built.

Mr. Tovar responded that the developer chose to go the subdivision route to get this project done. The subdivision route makes sure there is a preliminary and a final subdivision plat reported.

Deputy Mayor Fimia questioned if the final drawings are done when a preliminary subdivision is submitted.

Mr. Cohen responded that the preliminary subdivision is needed to “weed out” anything in the project that is not feasible.

Ms. Modrzejewski added that the benefit of subdividing would be to sell individual townhomes.

Mr. Tovar detailed the differences between subdivisions and townhomes.

A vote was taken on the motion, which carried 7-0.

- (e) Neighborhood Meeting Process Improvement

Mr. Tovar highlighted that the staff report reflects that the staff cannot change the text of the code without a code amendment by the Council. Specifically, he noted that the 500-foot rule in 20.30.090 needs to be revised.

Councilmember Way said a common complaint from residents is that they are not getting enough notice of neighborhood meetings. She inquired if there was a way to notify members of other organizations in area that there is a neighborhood meeting.

Mr. Tovar responded that the City would have to come up with a list of organizations and residents that are not being notified. He added that the City could suggest and advise, but if the Council wants this required then a code amendment would need to be adopted.

Councilmember Way pointed out that she is concerned with the way this process is run. She said this is not new and she has brought it up before. She appreciated the changes that were made because they are positive, she said.

Councilmember Gustafson added that the Council of Neighborhoods is an instrument for the Council and it would be prudent for them to bring this up in their meetings to ensure they act as a conduit for carrying this type of information. He added that the staff person that administrates these meetings could conduct outreach with the neighbors.

Councilmember Way noted that there have been two development project proposals in her neighborhood in the past, but nothing was sent out in her neighborhood.

Councilmember Gustafson felt that more formalized processes and administrative procedures could be created in the Council of Neighborhoods.

Mayor Ransom pointed out that Meridian Park doesn't meet at all. He wondered how notification could occur in an inactive neighborhood.

Councilmember Gustafson responded that the Council of Neighborhoods Coordinator should appoint someone to be a representative in each neighborhood and ensure they meet. He added that every neighborhood should have a council.

Councilmember Ryu felt the Council should review the Council of Neighborhoods program and the way it's organized. She said the Council of Neighborhoods need to become more of a technically-oriented resource for the neighborhoods.

Councilmember McGlashan said he would not support revising the 500-foot rule because there are people who don't think what they say will matter. He said that his Council of Neighborhoods only got three people to attend their meeting when they were soliciting for input on the Comprehensive Plan. He said there must be a better way to notify residents rather than increasing the 500-foot radius rule.

Using Councilmember McGlashan's example, Councilmember Way stated that perhaps the lack of public attendance was because no one opposed the Comprehensive Plan changes.

Councilmember Ryu stated that the problem may lie in the integrity of the 500-foot radius list.

Mr. Tovar said the list, which comes from the King County Assessor's Office, is used to notify residents that the permit application has been filed and their comments are being

solicited. He said getting people to comment on projects is a chronic problem, because they often receive what is an official-looking letter and simply throw it away. He added that perhaps the City should purchase and display a sign.

Mayor Ransom added that he is concerned about these meetings because he received a flyer once that had false information on it. He said a City staff person should always attend these meetings.

Councilmember Way inquired how the comment form at the Council of Neighborhood meetings would be handled.

Mr. Tovar said the forms the Planning Department has created can be "beefed up" with the requirements needed and resource implications for having staff at Council of Neighborhood Meetings.

Deputy Mayor Fimia felt that the issue is improving since she has not gotten any calls from residents lately. She wanted the issue brought back to the Council for further discussion at a workshop in the future.

Councilmember Hansen asked if the City of Kirkland requires a staff person to attend all meetings of a development proposal. He questioned what the staff hours were for this and how much it would cost.

There was Council consensus to bring this item back to a future workshop meeting for discussion.

(e) Resolution No. 244, amending the Council Rules of Procedure

Councilmember McGlashan moved to postpone action on Resolution No. 244, amending the Council Rules of Procedure to the next meeting. Councilmember Hansen seconded the motion.

Councilmember Gustafson said he has five to seven amendments, and he would vote against it tonight if a vote is taken at this meeting.

Deputy Mayor Fimia said she would like to keep working and get it done at this meeting. She said that the community presentation language was done and needs to move forward. She added that Council worked on this during the retreat and she is willing to stay to get it done rather than delay it for two more weeks.

Councilmember McGlashan said he also would be opposed to this tonight. He said he received several calls today concerning the rules relating to public comment at Study Sessions. He felt they are confusing, and there is also no consensus on the community presentations topic.

Councilmember Ryu did not support postponing this item. She said it can always be revisited in the future and the Council has done its best in putting together a pretty good mechanism to balance and move meetings along. She commented that the current process is less open to the public, and that needs to be addressed immediately.

MEETING EXTENSION

At 11:00 p.m., Deputy Mayor Fimia moved to extend the meeting until 11:20 p.m. Councilmember Ryu seconded the motion, which carried 4-3, with Councilmembers Gustafson, Hansen, and McGlashan dissenting.

Councilmember Hansen noted that he would be voting against the passage of this item.

Councilmember Gustafson said that he disagrees with eliminating the public comment period during business meetings after each action item and at the beginning of study sessions. He said the Council is limiting opportunities for the public comment. He said he has no problems with streamlining meetings, but limiting public comment is wrong. He disagreed with changing the public hearing start time, noting they should start at 8:00 p.m. He said people need to know a specific time when the public hearing will begin. He also said the business meetings should start at 7:00 p.m. Groups, he said, that may have an opposite viewpoint need time soon after to present their side. He added that groups need to present minutes that show they representing a group, or some other evidence to show how they came to their position. He felt that abstentions should be recorded as a vote and they should be recorded as a vote for the prevailing side. He concluded that he is in favor of postponing the vote on this item at this time.

Councilmember Way moved to call the question. Councilmember Ryu seconded the motion, which failed 3-4, with Deputy Mayor Fimia, Councilmember Way, and Councilmember Ryu voting in the affirmative.

Deputy Mayor Fimia pointed out that the revisions to the procedures were proposed in the spirit of trying to accommodate the three Councilmembers who were concerned about the length of Council meetings. She noted that language can be added on page 6 to address Councilmember McGlashan's concerns. She asked him to make the amendments to get the item passed.

MEETING EXTENSION

At 11:20 pm, Councilmember Ryu moved to extend the meeting until 11:30 p.m. Deputy Mayor Fimia seconded the motion, which carried 4-3, with Councilmembers Gustafson, Hansen, and McGlashan and dissenting.

Councilmember Hansen stated that last year, both cottage housing and the Comprehensive Plan were continually postponed, and he is amazed that the majority is not willing to postpone this item until June 5.

Mayor Ransom noted that despite Councilmember Gustafson's recent absences, every Councilmember should have the opportunity to participate, so he will support the motion.

A vote was taken on the motion to postpone action on Resolution No. 244 to the next Council meeting, which carried 6-1, with Councilmember Ryu dissenting.

9. ADJOURNMENT

At 11:17 p.m., Mayor Ransom declared the meeting adjourned.

Scott Passey, City Clerk

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CITY OF SHORELINE

SHORELINE CITY COUNCIL SUMMARY MINUTES OF SPECIAL MEETING

Monday, June 19, 2006
6:30 p.m.

Shoreline Conference Center
Mt. Rainier Room

PRESENT: Mayor Ransom, Deputy Mayor Fimia, and Councilmembers Gustafson, Hansen, McGlashan, Ryu, and Way

ABSENT: none

1. **CALL TO ORDER**

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

2. **FLAG SALUTE/ROLL CALL**

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

- (a) Proclamation of "Northwest Youth Music Association Month"

Mayor Ransom read the proclamation and declared the month of July as "Northwest Youth Music Association Month." He presented the proclamation to President, Scott Gilbert and the Interim Executive Director of the Seattle Cascade Drum and Bugle Corps, Jimmy Fursman.

Mr. Gilbert noted that bingo halls no longer support non-profit organizations. He said their organization is interested in partnering with the City. He also added that they need office space and a place to park their buses and trucks.

Mayor Ransom announced that agenda items 6(a) and 6(b) will be taken in reverse order.

3. **CITY MANAGER'S REPORT**

Bob Olander, City Manager, provided updates and reports on the following items:

- Nominations are being accepted for the August 19th Celebrate Shoreline Parade Marshal. The Council will make the final choice and nominations are being accepted by Mary Anne Kelly in the Parks Department

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- The Soccer Fields A&B project is on time and the old sand has been removed and drainage piping has been installed.
- The City has secured two new grants for \$22,000 each. The first is for Recycling and Yard Care and the second is for School Zone Safety.
- The Shoreline Arts Festival will be held Saturday and Sunday.
- The Association of Washington Cities (AWC) Conference will be held in Spokane from June 20 – 23.

4. COUNCIL REPORTS

Councilmember Way commented on her attendance at the Shoreline Community College graduation ceremony.

Councilmember Gustafson reported on his attendance at the Water Resource Inventory Area (WRIA-8) Forum, noting that the Council needs to review the interlocal agreement for implementation review. He also attended the Regional Water Quality Conference and encouraged the Council to read the documents in their packets that discuss Brightwater because there is an issue involving reclaimed water use. He added that he attended the Suburban Cities Association (SCA) meeting and King County is in the process of creating a property tax levy for a September 19 Special Election to fund the Automated Fingerprint Identification System (AFIS). He reminded the Council that the Suburban Cities Association networking dinner is June 28.

Councilmember Way inquired about the interlocal agreement from WRIA-8.

Councilmember Gustafson said the draft is in the packet and the City needs to have a response prepared no later than July 20.

Mayor Ransom announced that he attended a Skykomish Indian Potlach at Syre Elementary. It featured two hours of dancing and singing by some wonderful third grade students.

5. PUBLIC COMMENT

(a) Ros Bird, Lake Forest Park, Executive Director of the Shoreline/Lake Forest Park Arts Council, highlighted that this is Arts Festival Week and they have taken in 350 – 400 art pieces for the adult juried art show, and another 300 pieces for the student art show. She said 79 children auditioned for the “Frog Prince” and the festival will also feature ethnic dance, 80 craft booths, and a student film festival.

(b) Bob Phelps, Shoreline, Team Manager for the Shoreline Auxillary Communications Service, noted that his organization provides back-up communications services for the City fire and police departments. He noted that they participate in the annual field day event for training. He invited the public to attend this event, which will be held at the Shoreline Center.

(c) Vicki Westberg, Shoreline, thanked the Shoreline Historical Museum and Shoreline Sign and Awning for sponsoring the Golden Wheels car show at the museum. She also thanked Vicki Stiles who helped coordinate the event. She also thanked Mayor Ransom and Councilmember Ryu for attending the event. She announced that the next event is on July 2nd in Edmonds, and their website is www.goldenwheelsfraternity.com.

(d) Patty Crawford, Shoreline, said the court upheld the standing question on the Aegis issue. She read that the decision says the Crawfords have contractual rights with respect to water flows. She said it has been seven years and the City granted Aegis a CASUP permit to build on the south side, and that the City changed to Code to allow them to build in the buffer. She stated the City gave Aegis Peverly Pond to destroy, right-of-way on Twin Ponds Park, off-site mitigation, and now there is a total overflow from Aegis into the neighborhoods.

(e) Tim Crawford, Shoreline, he said the City should change the neighborhood name to "Aegisland". He said the opinion page of the Shoreline paper is appalling and the managing editor of the paper belongs to Forward Shoreline. He said he tried to attend the Council goals session, but found there is not a representative cross-section of the community at these meetings. He said the agency the City needs to align itself with is Washington State Fish & Wildlife. He concluded that they were going to stay to see the north building get torn out.

(f) LaNita Wacker, Shoreline, stated that the goals document is worthless. She attended one of the goals sessions and there were people there who were not registered voters in Shoreline or Shoreline taxpayers. She said there were people who "stuffed the ballot box" by attending both sessions. Additionally, there were failed Council candidates who were pressing their own agendas during the session. She highlighted that the Council was elected to set their own goals and to set policy and the City Manager is to implement it. She said there were 13 staff members there for two sessions, estimating a total of 102 staff hours to run both sessions. She said at the November election, Councilmembers McGlashan and Ryu had the most votes, and they represent the public opinion. She said the Council has usurped the time of the staff and that of the citizens.

(g) Maria Walsh, Mountlake Terrace, spoke on behalf of her son who resides at Fircrest School. She is a member of Friends of Fircrest and they are having an event called "Spring into Summer." It is a raffle and silent auction event which will take place on June 24th at the St. Matthews Parish in Seattle.

Mr. Olander stated he will have the City Attorney draft a memorandum to the Council concerning the Aegis case.

6. WORKSHOP ITEMS

(a) 2006 – 2007 Council Goals Adoption

Mr. Olander introduced this item and discussed the progress to-date. He noted that the City has limited staff resources and funds and they must set priorities. He added that setting priorities provides direction to the staff and informs the staff how to draft the 2007 budget. He concluded that non-published goals are also important. He suggested an outlined process that divides the 16 goals into four different groups. He said staff recommends the Council adopt the seven goals in groups 1 and 2. He added that the Council can take their final three goals from group 3 to bring the total to 10 goals.

Deputy Mayor Fimia inquired if the staff was doing goal #3 (implementing a long range financial review and public participation plan) from Group 3.

Mr. Olander responded that staff prepares a long range plan. He added that the public needs to be brought into this process and staff will be undertaking this administrative task. He stated the staff is looking for some administrative direction from the Council tonight on how to proceed because the staff needs to start working on the budget process.

PUBLIC COMMENT

(a) Vicki Westberg, Shoreline, said she was the only person who attended both of the Council goals forums and highlighted that she did not participate in both of them, and “did not stuff the ballot box.” She urged the Council to keep Fircrest as a priority Council goal. She added that a master plan for the property should include Fircrest School because it has numerous benefits to the City. She said it is rated in the top 10 for institutions like it in the United States, and it has great facilities with many uses. She said the chapel at Fircrest is a historical landmark that should be retained. She urged the public and the Council to take a guided tour of the facility.

(b) Jane Hinton, Shoreline, Family Support Manager for the Center for Human Services, works with economically disadvantaged people. She has reviewed the goals and supports a comprehensive housing strategy in Shoreline. She commended the Council for having a goal to increase opportunities for inclusion and cultural diversity. If this goal is not included this year she hoped the Council would keep the needs of the diverse population at the top of their “to-do” list. She said oftentimes the way to get people involved is to go to them rather than inviting them to come to meetings. Finally, she said there is a huge need for a Youth Master Plan and for things for children and teenagers to do when they are out of school. It might also be a good idea for the City to formulate a Human Services Master Plan. She urged the Council to look at the King County SOAR Youth Action Agenda and adopt some of the policies for Shoreline. She said that program provides a good roadmap for this community.

(c) Bill Bear, Shoreline, on behalf of Sustainable Shoreline, said they appreciate the hard work that went into the list of goals and priorities as well as the democratic process. He added that Group #1, #2, and #4 must include certain elements. He said Group #2 must include small businesses rather than large corporate development. Group #2, he said, must emphasize owner-occupied affordable housing. This means

maintaining a large number of single-family starter homes in Shoreline as opposed to high density absentee landlord rentals which destabilize neighborhoods. They also support the goal of environmental sustainability and all non-automobile transit modes. He said their group also supports the goal of developing a Fircrest Master Plan. Their group also wants to support the goal of transparency in financial review and public participation in Shoreline. He said they support emergency preparedness training and reformatting the neighborhood associations to ensure they provide a voice for the neighbors in each area.

(d) Maria Walsh, Mountlake Terrace, on behalf of her son who resides at Fircrest, said the Fircrest Master Plan needs to be prioritized. The master plan, she said, would include Fircrest into the City of Shoreline. She said Shoreline must identify what services can remain at Fircrest and analyze which programs will benefit the City and be retained. She said Shoreline should be proud of Fircrest because one of the goals involves environmental sustainability. She added that Fircrest is a beautiful campus and the City should preserve it for the current residents and those who will need professional support in the future. She urged the Council and attendees to take a guided tour and then decide.

(e) Peter Henry, Shoreline, stated he is relieved that the recall lawsuit was withdrawn. He thanked the City for the goals process and outreach effort. He noted that 76 people attended the community goals forums. He supported increasing the priority of a Fircrest Master Plan. He noted that it sends a message to the State that the City is concerned about the situation at Fircrest, which is different than what the City has shown it to be in the past. He also thanked the City and staff for creating a priority for an environmentally sustainable community.

(f) Kristin Ellison-Oslin, Shoreline, said she was unable to attend the community forums. She supported moving forward with the Fircrest Master Plan. She added that the City already has a relationship with state-level officials and the master plan would assist with diversity (possibly as a place to locate embassies), and housing concerns such as homelessness and affordable housing.

Mr. Olander responded that the City cannot execute a Fircrest Master Plan alone. The City will need the full cooperation of the State as a partner. The State would need to be a funding and working partner. However, this has not occurred in the past, he outlined.

Councilmember Way announced the following City Council Goals for 2007 – 2008 for Council consensus: 1) Complete the projects outlined in the 2006 Parks Bond, 2) Implement the Economic Development Strategic Plan, 3) Implement an affordable Civic Center/City Hall project, 4) Complete sidewalk, drainage, and transit improvements on Aurora Avenue from 165th Avenue to 205th Avenue, 5) Create an environmentally sustainable community, 6) Develop a Comprehensive Housing Strategy which provide safe, affordable, and sustainable walking, biking, transit, vehicle transportation options to support current and projected land use plans, 7) Develop a Fircrest Master Plan in partnership with the State, 8) Increase emergency preparedness training and education, 9)

Create opportunities for all, including the youth, to get more involved with neighborhood safety and improvement programs.

Councilmember Ryu agreed with the proposed Council goals.

Councilmember Hansen called for a point of order and noted that since the meeting is a study session, no formal motions can be made by a Councilmember.

Councilmember Way supported the Parks Bond elements and the implementation of the Economic Development goal with emphasis on existing businesses. She supported the Civic Center/City Hall with a focus on affordability and what makes sense to the community. She felt there are many opportunities to make improvements in the Aurora Project as it moves forward into Phase II and III, particularly with respect to drainage.

Mr. Olander pointed out that the goal regarding Aurora Avenue should be general and recommended not limiting what the Council looks at until they have had the opportunity to consider all environmental alternatives.

In the interest of time, Councilmember Hansen asked if the Mayor would like to see if there was Council consensus on the first four goals.

Councilmember Way suggested the Council move forward with the priorities and goals she highlighted previously.

Councilmember McGlashan did not see the need for changing item #4 of Group #1.

Councilmember Way said she is not satisfied with the drainage work done on Phase I of the Aurora Project.

Mr. Olander suggested that the goals be kept short and succinct. At a later date the staff can then bring back detailed work plans.

Councilmember Gustafson appreciated the work and recommendation of the staff. He agreed with Councilmember Hansen and wanted to identify if the Council concurs with the first four goals. He also agreed with Mr. Olander that the goal details can be worked out in the future.

Councilmember Ryu disagreed, stating she would like to have the details established soon as possible because they are critical.

Deputy Mayor Fimia wanted to see what the entire package looks like. She added that the Council is not going to achieve consensus if the goals are considered group by group. She said Councilmember Way's language separates the Aurora Project, noting that the design for Phase II and III will be different than Phase 1. She said that the project doesn't need to be referred to as the "Aurora Project."

Mayor Ransom stated that the Council should look at each goal and either come to consensus or discuss further.

There was Council consensus on Goal #1: To complete the projects approved in the 2006 Parks Bond.

There was Council consensus to include the Goal: Implement the Economic Development Strategic Plan.

There was Council consensus to include the Goal: Implement an affordable Civic Center/City Hall Project. Councilmember Gustafson did not concur. He objected to the term "affordable" and added that the City Hall needs to be the best product for the City.

Councilmember Way said the message she heard at the Council forums is that residents were in favor of an affordable City Hall and that they don't want the "Taj Mahal."

Councilmember Hansen responded that there is no definition for the term "affordable." He supported a new City Hall and said nothing should be revised within the text of the goal.

Deputy Mayor Fimia said the Civic Center/City Hall needs to be a modest, functional facility with renewable energy sources to make it affordable. She suggested the Council take a straw vote on this language and find the language in the next few weeks so it gets to the public that it be a functional building rather than a palace.

Councilmember Gustafson agreed with Deputy Mayor Fimia.

Councilmember McGlashan noted that "affordable" cannot be defined. He said the Council should start with the staff recommendation instead of changing words.

Mr. Olander noted it has never been the intent of the staff to build anything that would not be reasonably affordable. He said staff is looking at standard office construction.

Councilmember Gustafson said the Council is spending too much time on details. He explained that the Council should be setting policy and not concern itself with the details. However, he said the details will be discussed later when staff comes back to the Council with recommendations on the facility.

Councilmember Ryu said she doesn't mind spending an extra hour or two discussing the budget impacts, since the goals tie into the budget.

There was Council consensus to include the Goal: Complete the Aurora Avenue Improvements from 165th Avenue to 205th Avenue, including, but not limited to, Sidewalks, Drainage, and Transit Improvements. Councilmembers Gustafson and McGlashan did not concur.

Councilmember McGlashan said the Council spent two days during their retreat to come up with the goals, and now they are changing. He said staff needs broad direction, and the Council should not try to control them. Councilmember Gustafson felt the Council should adhere to the staff recommendation.

There was Council consensus to include the Goal: Create an Environmentally Sustainable Community. Councilmembers Gustafson, Hansen, and McGlashan did not concur.

Councilmember Hansen did not support this goal because there is no explanation on what an environmentally sustainable community is.

Mr. Olander said that the implementing tasks for this goal are listed, such as: adopting an energy efficiency plan for City operations; developing a natural resources management plan; renewing and implementing low impact development standards; reviewing/adopting the 2005 King County Drainage Manual; incorporating advanced storm water quality practices into Aurora and other capital projects; and completing the forest management plan. He stated these are action items that fall under this goal.

Councilmember Way added that the public overwhelmingly endorsed this at the workshops.

Councilmember McGlashan asked if this was related to the City joining the Kyoto Accord.

Councilmember Way responded that they overlap; similar to the Parks Bond, it has already been voted on.

Councilmember Gustafson said this is a value that the full Council feels strongly about, but it is too broad. He said it is not in his top eight goals.

Councilmember Ryu said Council goals are set so the staff can prepare for the budget. She felt this item needs to be added so a funding source can be determined.

Councilmember McGlashan encouraged the Council to review the goals in the order they are written in the staff report.

Deputy Mayor Fimia the request is to give staff direction through Council consensus. She pointed out that Councilmember Way incorporated public comments into stated goals and he can use the proper procedure to amend them.

Councilmember McGlashan responded that he disagrees with taking the original Council goal and incorporating what the public said. He felt that it would control the outcomes of the goals.

There was Council consensus to include the Goal: Develop a Comprehensive Housing Strategy.

Mayor Ransom read the proposed Council Goal to “Provide safe, affordable and environmentally sustainable walking, biking, transit and vehicle transportation options to support current and projected land use plans.”

Deputy Mayor Fimia suggested the following change: “Provide safe, affordable walking, biking, transit and vehicle transportation options to support our land use plans.”

Councilmember McGlashan opposed the amended language.

Councilmember Hansen agreed with Councilmember McGlashan and said the goal is too wordy. He supported the staff’s suggested language.

Councilmember Way stated there are many ways the City can design the roads so they can support transit.

Mayor Ransom felt that the language should be “Provide safe, affordable transportation options to support our land use plans” and the language about walking, biking, transit and vehicle belong under that main idea. He felt the goals are getting terribly wordy and it is getting hard to determine the core ideas.

Deputy Mayor Fimia felt the specific examples of transportation needed to be in the Council goal statement. She said people only think of roads when the term transportation is used.

Mayor Ransom revised the language to “Provide safe and affordable transportation options to support our land use plans including walking, biking, transit, and vehicle options.”

Councilmember Hansen agreed with Mayor Ransom to add bullets outlining the types of transportation after the main goal.

Mr. Olander clarified that the language in the staff report came from the Council, not the City staff.

There was Council consensus to include the Goal: Provide safe and affordable transportation options to support our land use plans including walking, biking, transit, and vehicle options. Councilmembers Gustafson, Hansen, and McGlashan did not concur.

Mayor Ransom reads the next goal: “Develop a Fircrest Master Plan in Partnership with the State.”

There was Council consensus to include the Goal: Develop a Fircrest Master Plan in Partnership with the State. Councilmembers Gustafson, Hansen, and McGlashan did not concur.

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Councilmember Ryu supported this goal. She said Fircrest is within Shoreline and we owe it to the neighborhoods not to ignore the facility. She urged the Council to bring the stakeholders to the table to discuss this facility.

Councilmember Hansen highlighted that this is a state facility. He said the Council is wasting time until the state comes to the table to discuss and support any plans the City has.

Councilmember McGlashan concurred, adding that although we have zoning discretion, the City cannot tell the state what to do with its property. He said the City should talk to the state. He felt it wrong for the Council to adopt a goal to develop a master plan for state-owned property.

Councilmember Ryu disagreed and said because the City doesn't own Fircrest, it doesn't mean the Council can't speak to it. She said the City doesn't own the houses in the neighborhoods and yet the Council passes ordinances concerning them. She said the Council would be giving up responsibility if they ignore Fircrest. She said she has no problem spending taxpayers money to create a master plan for Fircrest.

Councilmember Gustafson agreed with Councilmember McGlashan. He stated that the Council needs goals that are achievable. He disagreed that this should be in the top 7-8 goals. He said the Council should lay groundwork with the state first and possibly put this item on the list of goals for next year.

Mayor Ransom said he received about 40 telephone calls today about the Fircrest Master Plan and talked to Representative Maralyn Chase about this. She agreed that a master plan in partnership with the state is a good idea because there are some things in the legislative session the City can influence if a master plan is in place.

Deputy Mayor Fimia added that Aurora Avenue is owned by the state and 60% of what the City does is in partnership with the state. She stated the City needs to start working with the state to develop a master plan. She said we need to "set the table" for the state to come and speak to the Council.

Mayor Ransom added that it opens opportunities for the City if it is in cooperation with the state. He said he supported the goal as stated.

Councilmember Way said the Council will never be able to get anything done without approaching partners. She said it is silly not to put this item on the table just because the City doesn't own the property. This property, she added, is important to the eastside neighborhoods, and Fircrest needs our support.

Councilmember Hansen disagreed with Deputy Mayor Fimia's remarks that the City is just beginning with Fircrest. He pointed out that he has been involved with Fircrest since the 1970's and has had a significant amount of direct involvement. He highlighted that in

the 1990's a plan was developed for Fircrest with architectural drawings. He said the direction has to come from the state on this. He felt the Council is setting itself up for failure with this goal, noting his preference for limiting the goals to seven or eight. He opposed putting this goal on the Council goals list.

Mayor Ransom felt the added language concerning the partnership with the state makes the difference with this goal.

Deputy Mayor Fimia said that if the City waited for the State to come to the Council they would have a plan developed and then the Council would be on the defense. She said the City needs to go to the State as major stakeholders and send a signal to the State that they can't go with another party and make plans without the City. She said she didn't know why the master plan was stopped, but having it on as our goals will give us the advantage in the future.

Mr. Olander noted that the advantage of putting it on as a goal informs the state that there is strong community and Council interest in Fircrest. However, if the state doesn't want to partner with the City, the Council would have to take it off of the goals list at some point in time. Another possibility is to pass a unanimous Council resolution of support for partnering with the state for a master plan. Then, if the State responds to the City positively it can be added as a Council goal. He asked if the Council wants to send this item to the state with the message of a 4-3 vote or a unanimous vote.

Councilmember Ryu responded that some message is better than no message at all. She said resolutions "really don't have legs," but goals do.

Deputy Mayor Fimia said the goal should continue if the State says no and this will always be something the Council needs to do.

There was Council consensus to include the Goal: Develop a Fircrest Master Plan in partnership with the State. Councilmembers Gustafson, Hansen, and McGlashan did not concur.

Councilmember McGlashan stated the Councilmembers were asked to come to the meeting with ten goals. He asked if there was any reason to discuss the last two if the majority of the Council has already decided what the ten goals are going to be.

Councilmember Hansen noted he would only support eight goals.

Councilmember McGlashan stated that he would like to include the Interurban Trail Connectors as one of the goals.

Mr. Olander stated that this is included as a work element under the "transportation options" goal. He also suggested the Council postpone discussion on the Capital Improvement Plan (CIP) to the next special meeting.

Councilmember Hansen supported the Interurban Trail Connectors and wanted to see if there is Council consensus on the issue.

Councilmember McGlashan withdrew his suggestion and stated he also would support no more than eight Council goals.

Councilmember Gustafson agreed with the City Manager and suggested the CIP be done at a later date.

There was Council consensus to postpone discussion on the Capital Improvement Project (CIP) to a future special meeting.

Councilmember Gustafson stated that the Interurban Connectors goal was in his top eight goals and is important to the residents of Shoreline. It needs to be a high priority so it can get completed.

Councilmember Ryu responded that the Parks Bond passed and said it can be addressed under the transportation options goal.

Councilmember Way added that the Interurban Trail Connectors are close to being done and it will be completed soon, so the Council should place more priority on other projects.

Mayor Ransom suggested the Council postpone the rest of the discussion on this item until next week.

Councilmember Hansen said the City doesn't own the Interurban Trail. He pointed out that Seattle City Lights owns it and they have granted the City certain rights to maintain the trail.

Deputy Mayor Fimia stated that having eight goals is arbitrary. Safety and protecting the residents are a primary goal, she said. She added that families and individuals are not ready for an emergency. She highlighted that the Interurban Trail Connectors will get done under the transportation options.

Councilmember Hansen noted that the Interurban Trail is not done and until it is done he wants it to stay as a Council goal. He said Councilmember McGlashan has asked twice for a consensus vote to keep the number of Council goals to eight and he would like to see if there is consensus.

Mayor Ransom polled the Council on whether to limit the number of Council goals to eight. Councilmembers Gustafson, Hansen, and McGlashan favored no more than eight goals. Mayor Ransom, Deputy Mayor Fimia, and Councilmembers Ryu and Way favored more than eight.

There was Council consensus to postpone further consideration of the Council goals until next week. Deputy Mayor Fimia and Councilmembers Ryu and Way did not concur.

Mayor Ransom clarified that the discussion on this item at the Council meeting next week will cover the tentatively approved eight Council goals and three additional goals that have not been discussed.

RECESS

At 9:32 p.m., Mayor Ransom announced that the Council would recess for ten minutes. At 9:42 p.m., the Council meeting reconvened.

(b) Civic Center Site Acquisition

Mr. Olander introduced this topic and stated the Council directed the staff to pursue a purchase agreement and options for a Civic Center. He added that the City has firm offers on two properties.

HIGHLAND PLAZA SITE

The first site, he said, is the Highland Plaza Site at the corner of Midvale and 175th Street NE. It has three buildings on it and is 1.74 acres and the cost is \$5,750,000. The advantages to this site include:

- Centrally located in Shoreline
- Close to 185th for access to the west of town
- Close to bus routes and adjacent to the Interurban Trail for bike and walking access
- Strong potential as a civic catalyst for Aurora and Midvale reconstruction
- Strong potential for a "town center"
- Site is where our current City Hall is and is familiar for residents and customers
- Site has no added neighborhood impacts (same amount of traffic)
- Site is very developable and has favorable characteristics
- Site has very good access from the road
- There is no need for zoning or land use changes
- There is adequate water, power, sewer, and telecommunication utilities
- Site is available and within the City's range of appraised value

Jesus Sanchez, Public Works Operations Manager, reviewed the appraisal and negotiation process. The City retained the services of a qualified appraiser, CJM Munson, who are members of the Master Appraisers Institute. He noted that the City staff looked at the property as developers, but Mr. Kevin Clarke looked at the site with an investor perspective which looks at the revenue base. This means, he said, considering the existing revenue flows that are being derived from the building as well as the age of the building, and determining the appreciation cap. In this case, he said, the capitalization rate of this building was between 7 – 8 %, which brings the total potential

value of the building to \$6 million. At that point, the model was run again and the next figure was closer to \$5.4 million. Therefore, the City offered the owner a compromise of \$5.7 million. Staff believes this is an acceptable price for this property, and the owner has accepted the offer and signed a purchase agreement.

Debbie Tarry, Finance Director, said two primary financial analyses were performed on this property purchase. They include: 1) an annual cash flow comparison; and 2) a net present value comparison. She outlined the purchase assumptions concerning the property:

- Purchase of property
- Construction of Civic Center
- City puts approximately \$12 million cash towards the project
- City issues a debt service to cover the remaining \$12.75 million for the project
- Building size is a little over 57,000 square feet

MEETING EXTENSION

At 10:00 p.m. Councilmember Hansen moved to extend the meeting until 10:25 p.m. Deputy Mayor Fimia seconded the motion, which carried 7-0.

Ms. Tarry continued that the amount the City will pay back will be over a 25-year period and the payments will remain constant each month. However, maintenance operations are effected by inflation, so they would vary. She said she documented three different leasing scenarios against the purchase scenario in the packet. She pointed out that there is limited office space in Shoreline and lease costs in the area should increase in the future.

Mr. Sanchez said he read a local business journal this morning that said in the last few years the costs for office space in the greater Seattle area has increased and the amount of space available has decreased.

Deputy Mayor Fimia inquired if the numbers reflected the City leasing office space to the private sector.

Ms. Tarry responded that the numbers only reflect the City's purchase or leasing of office space and not leasing to other private businesses.

Mr. Olander responded that it only includes the office space the City may need based on estimated growth in the next few years.

Deputy Mayor Fimia noted that organizations do not have many office space lease options in Shoreline.

Mr. Sanchez said it is important to remember when calculating the value of this property that the lifecycle of the buildings are nearing the end.

Mr. Olander noted that if the City spent the \$12 million elsewhere and executed a bond for the purchase of the property, it would put the annual costs at a higher rate than the City can afford. The net present value captures the initial downpayment and the residual value.

Ms. Tarry explained that the net present value accounts for all cash outflows that occur in the 25-year period under each of the scenarios. It takes the total and it is discounted under each scenario so it can be compared to today's dollars. She added that the purchase cost includes the downpayment plus all the cost per debt service in maintenance and operations. With the purchase option the equity as calculated by CMJ is between \$17 and \$22 million dollars. The City calculated the equity conservatively at \$14 million.

Deputy Mayor Fimia clarified that the square footage under the purchase option is a little over 57,000 and 29,000 in the lease option.

Ms. Tarry responded that under the current lease, common space including halls, bathrooms, conference rooms, and council chambers are not included in the current space. Additionally, in our current space it would be unlikely the City could obtain more space.

Mayor Ransom inquired if the City, between the two buildings, was leasing over 35,000 square feet currently.

Mr. Sanchez responded that the City was leasing about 25,600 square feet for both buildings.

Mr. Olander explained that the City would spend more money now, but in the future more funding would be free for roads, streets, parks, and other capital investments.

Ms. Tarry explained that \$10.3 million has been saved in the Capital Improvement Plan (CIP) for this project. She added that it is not a part of the general fund or general reserves. She added that there are REET funds that were collected in 2005, and there will be some savings in lease payments and the City would receive payments from tenants currently occupying the building. The 2006 Budget already included the allocation of monies into the General Capital Fund from the General Fund and the recommendation is for \$500,000 to be allocated on the City Center Project. In addition, another \$150,000 would come from the General Fund. She stated there would be councilmatic bonds of \$12,750,000 which would constitute issuing current debt but not increasing taxes.

Deputy Mayor Fimia asked if interest is considered potential revenue.

Ms. Tarry responded that there are arbitrage regulations which govern how much a municipality can get in interest revenue.

Councilmember Hansen stated that the City purchased the police station for \$600,000 and the City was close to purchasing another property for \$600,000 and it is unfortunate that the City did not purchase it. He commented that the City should move forward and purchase this property.

Councilmember Ryu inquired about environmental contamination at 1140 N. 175th Street.

Mr. Sanchez responded that there is some evidence of contamination. The Department of Ecology has outlined that soil removal will be a prerequisite to developing the site.

MEETING EXTENSION

At 10:25 p.m. Councilmember Hansen moved to extend the meeting until 10:45 p.m., Councilmember Ryu seconded the motion, which carried 7-0.

Councilmember Ryu asked if there are any current tenants that will need to be displaced.

Mr. Sanchez replied that the purchase agreement stipulates that the current owners will coordinate with the tenants, and they have accepted this responsibility.

Mr. Olander said it will take the City eighteen to twenty-four months to begin construction, and that will give them ample time to relocate.

Councilmember Way wondered what the costs were for comparable sites on Aurora Avenue and whether the City is getting the best value for this property. She questioned where the total cost of \$24.7 million came from. She expressed concern about the potential for escalating change orders.

Mr. Sanchez answered that the rate to purchase this property is \$72 per square foot, and the rates on Aurora Avenue range from \$80 - \$129 per square foot.

Mr. Olander noted that the comparables in the report found that property values have increased significantly. He said another reason the value is relatively high is because the buildings are adjacent to Aurora Avenue and the site is not bare.

Councilmember Way asked for justification of the estimated costs.

Mr. Olander responded that the City hired Olympic Associates, which is a cost-estimating and construction firm. He said the estimate was fairly conservative and may be six or seven months old. He added that they have used the best cost estimating firm the City could find.

Councilmember Way asked if variables were added in such as the cost of gas, oil, and labor.

Mr. Olander responded that the firm takes those things into account when they give their estimate, however, there is always a caveat because it is a volatile construction market and the City won't know until it goes out to bid. He added that if the Council approves this purchase then the next step is to update the cost estimates.

HIGHLAND PARK CENTER

Mr. Olander said the Council authorized negotiation with the owner, Mr. Kimm, for the 1.21 acre parcel with 53,000 square feet of office space at a cost of \$3.3 million. The City obtained a series of appraisals which were all within 10% of the appraisal value. The City offered \$3 million and Mr. Kimm would not accept anything less than \$3.3 million. He said he felt comfortable recommending the \$3.3 million purchase price to the Council because the site is needed for long range growth. He said the City plans on assuming at least one of the utilities. He also said at some point the City may look at having its own police station or possible expansion. He commented that parking is very tight at City Hall and this would ease the problem. He also added that once the City purchases the Highland Plaza property, the value of this property will go up exponentially, so this is a great time to lock in this price. He said there is no immediate need for it and it would generate revenue for the next four or five years. It would serve as a major anchor for a future civic center complex and provide a sense of identity and adequate growth space. He also noted that if the property does not meet the City's needs, it can be sold in the future for a profit.

Mr. Sanchez submitted that the City would have greater control over the eastern boundary and have some influence over what would happen to the parcel. Also, if the City sold the property, the future development would have to be compatible with the civic center. He concluded that the City can generate revenue with the property.

Mr. Olander noted that there is a different financial plan for this property. He outlined that the City staff did not want to add this purchase to the bond issue because that adds to the annual cost and the debt service amount.

Ms. Tarry recommended that \$1 million be taken from General Fund Reserves because the City ended up with a \$1.6 million surplus last year. The remaining \$2.3 million would come out of the General Capital Fund which would be replenished over the next two years. It would be replenished from the anticipated \$500,000 through real estate excise taxes and through the \$200,000 in lease payments from tenants over five years. The remaining \$800,000 would come from General Fund savings or additional real estate excise taxes collected over the five year period.

Councilmember Gustafson inquired if there were any considerations about the Grease Monkey property.

Mr. Olander responded that the City considered it, but adding the cost of that property did not seem worthwhile. In addition, the property owner wasn't interested in selling it.

Deputy Mayor Fimia urged that the City staff include as much information on energy efficiency as possible to the proposal. She asked to have "gray water" added also. She said the City needs to address lifecycle costs and factor them in as much as possible.

Mr. Sanchez added the City will also solicit and look for grants for these energy efficiencies.

Deputy Mayor Fimia felt the City Council must pay attention to this as it pertains to the Capital Budget. She agreed that the City does need to look at this purchase now and probably would be supporting it because the location is ideal. However, she said the sidewalk funding will be short this year and this cannot sabotage the aggressive sidewalk program.

Mr. Olander explained that there is a tighter timeframe on the Highland Plaza Site, but the Council has three to four weeks to make a decision on the Highland Park Site. If the Council agrees to purchase the properties, there is a 60-day due diligence period of time in which the City staff would conduct the pollution investigation, title review, and all the routine items that occur to ensure a property is clear and free. If discrepancies are discovered during the due diligence period, the City has the ability to opt out of the purchase.

Councilmember Way inquired about the public process and hearings.

Mr. Olander responded that a decision needs to be made by Council on the Highland Plaza Site (Miller Property) and when the design process begins the public would become involved. He emphasized that the primary focus right now needs to be on the purchase of the property.

8. ADJOURNMENT

At 9:47 p.m., Mayor Ransom declared the meeting adjourned.

Scott Passey, City Clerk

CITY OF SHORELINE

**SHORELINE CITY COUNCIL
SUMMARY MINUTES OF REGULAR MEETING**

Monday, June 26, 2006
7:30 p.m.

Shoreline Conference Center
Mt. Rainier Room

PRESENT: Mayor Ransom, Deputy Mayor Fimia, and Councilmembers Gustafson, Hansen, McGlashan, Ryu, and Way

ABSENT: none

1. CALL TO ORDER

The meeting was called to order at 7:36 p.m. by Mayor Ransom, who presided.

2. FLAG SALUTE/ROLL CALL

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

3. CITY MANAGER'S REPORT

Bob Olander, City Manager, provided updates and status reports on the following items:

- Eagle Scout volunteer project in Brugger's Bog Park
- Pole banners reinstalled throughout the City for Summer 2006
- Aurora Corridor Improvement Project (N 145th – N 165th)
- Pedestrian Pathway Priority Routes
- North City Business District Improvement
- Public Reminders: no City Council meeting on July 3; next City Council meeting is July 10

Councilmember McGlashan pointed out that Mr. Olander's sculpture won "Best in Show" at the Shoreline/Lake Forest Park Arts Festival over the weekend. The Council commended Mr. Olander for his accomplishment and talent.

4. REPORTS OF BOARDS AND COMMISSIONS: none

5. GENERAL PUBLIC COMMENT

(a) Bob Barta, Shoreline, expressed appreciation for the Council of Neighborhoods program, noting that gives citizens a viable way to influence City

decisions. He commented favorably on the completion of a neighborhood clean-up project of the urban forest at 160th Street and Greenwood Avenue. He also commended Public Works staff for their help in assisting the neighborhood in clearing out the vacant lot at 160th Street and Fremont Avenue. He said neighbors were impressed with City staff's congeniality. He urged the Council to continue to support the Council of Neighborhoods, which encourages people to get involved and help achieve City goals.

(b) George Mauer, Shoreline, compliment the Council for initiating goal setting, but warned that executing and delivering on goals is where most processes fail. He said the following framework will ensure that goals will be achieved: 1) a program plan; 2) identification of key actions; 3) manager responsibility; 4) timelines; 5) identification of necessary resources; and 6) management compensation incentive plan. He said the added bonus of following this framework is transparency and accountability. On another topic, he pointed out that the franchise fee paid to the City from the Ronald Wastewater District does not appear on customer billing. He asked for the rationale for covering up the bill expense related to the franchise fee.

Mr. Olander said he would research the water utility billing issue and report back to the Council.

6. APPROVAL OF THE AGENDA

Mayor Ransom wished to pull the minutes (item 7a) from the Consent Calendar for further consideration. Councilmember Hansen moved approval of the agenda as amended. Councilmember Way seconded the motion, which carried unanimously, and the agenda was approved.

7. CONSENT CALENDAR

Councilmember Hansen moved approval of the Consent Calendar as amended. Councilmember Gustafson seconded the motion and the following items were approved unanimously:

**Approval of expenses and payroll as of June 15,
2006 in the amount of \$1,330,619.25**

**Ordinance No. 428, approving updates to the Parks,
Recreation and Cultural Services Department fee schedule
and establishing the fee structure for the improved Shoreline
Park A and B Fields**

**Ordinance No. 427 extending the Seattle Public
Utilities Water Franchise**

**Resolution No. 247, approving the Richmond Beach
Saltwater Park Applications to the Interagency Committee**

for Outdoor Recreation (IAC)**8. ACTION ITEM: PUBLIC HEARINGS**

- (a) Public hearing to receive citizens' comments on proposed extension of Moratorium on Hazardous Tree Exemption: and

Ordinance No. 429 extending a Moratorium and Interim Control pursuant to RCW 35A.63.220 prohibiting the cutting of trees in Critical Areas and prohibiting land clearing or grading in Critica Areas until September 3, 2006

Joe Tovar, Planning and Development Services Director, provided the staff report and explained that the Planning Commission has been taking public testimony and deliberating permanent hazardous tree regulations. The requested action would extend the current moratorium until September 3. The extension is necessary because the Planning Commission report will be transmitted to the Council in July, after the current moratorium expires.

At 8:00 p.m. Mayor Ransom opened the public hearing.

- (a) Elaine Phelps, Shoreline, expressed support for the moratorium extension, noting that she has been impressed with the work in the Planning Commission. She said the Council should have a good report from the Commission in July.

Deputy Mayor Fimia moved to close the public hearing. Councilmember Ryu seconded the motion, which carried unanimously.

Councilmember Ryu moved to adopt Ordinance No. 429 extending a Moratorium and Interim Control pursuant to RCW 35A.63.220 prohibiting the cutting of trees in Critical Areas and prohibiting land clearing or grading in Critical Areas until September 3, 2006. Councilmember Way seconded the motion, which carried unanimously.

- (b) Public hearing to receive citizens' comments on the proposed 2007-2012 Capital Improvement Plan (CIP)

Debbie Tarry, Finance Director, highlighted the proposed 2007-2012 Capital Improvement Plan (CIP). She explained that the CIP is a long-term policy document which identifies future capital investment priorities. It is a financial planning tool for future capital investments that assists in forecasting future capital demands on current revenues, levels of outside assistance, and borrowing capacity. She said the CIP is not a precise project cost estimate or a detailed project schedule, but it does reflect priorities identified in the Comprehensive Plan Capital Facilities Element (CFE), which includes 67 Projects and total projected expenditures of \$158.8 million.

She then outlined each of the major funds - General Capital Fund, Roads Capital Fund, and Surface Water Capital Fund, including priority projects and their accompanying revenue sources. Project categories include: facilities; parks & open space; pedestrian/non-motorized transportation; road system preservation; transportation safety; flood protection; water quality; stream rehabilitation/habitat enhancement. She explained that the Transportation Improvement Plan (TIP) is the Roads Capital Fund portion of the CIP, so the TIP is essentially a subset of the CIP. The major funding sources include Real Estate Excise Tax (REET), fuel taxes, surface water utility fees, and grants. Grants comprise 44% of the total funding of CIP projects. Staff anticipates issuing municipal financing to fund the proposed Civic Center as well as revenue bonds to complete CIP projects within their estimated timeframes. She said staff is also considering the possibility of local improvement districts (LIDs) for 2009 and beyond. She concluded by suggesting that Council select a date to hold a special meeting to discuss the details of the CIP because the CIP is scheduled for adoption on June 24.

Mayor Ransom opened the public hearing. There were no speakers signed in for this item. **Councilmember Hansen moved to close the public hearing. Councilmember Gustafson seconded the motion.**

Councilmember Way asked if there would be any harm in keeping the public hearing open in order to allow people further opportunities to comment on the CIP before Council takes final action. She also asked about the relationship between the CIP and the TIP.

Ms. Tarry suggested that the hearing on the CIP could remain open, but the hearing on the TIP should be closed as soon as all comments are received.

Mr. Olander explained that the TIP is the Roads Capital portion of the CIP, so closing the hearing on the TIP doesn't necessarily preclude people from commenting on transportation projects. He said it might be preferred to keep the CIP hearing open rather than closing it and allowing additional comment on it later.

Councilmember Way moved to substitute "to keep the public hearing open until July 17, 21006" for the motion "to close the public hearing." Councilmember Ryu seconded the motion, which carried 5-2, with Councilmembers Gustafson and Hansen dissenting.

A vote was taken on the motion to keep the public hearing open until July 17, 2006, which carried 7-0.

- (c) Public hearing to receive citizens' comments on the proposed 2007-2012 Transportation Improvement Plan (TIP)

Mayor Ransom opened the public hearing. There were no speakers signed in for this item. **Upon motion by Deputy Mayor Fimia, seconded by Councilmember Ryu and unanimously carried, the public hearing was closed.**

Councilmember Gustafson suggested that the Council select a date for the CIP discussion. After coordinating schedules, there was consensus to hold a special meeting on July 18 at 6:30 p.m. for the sole purpose of discussing the CIP.

Deputy Mayor Fimia moved to extend the CIP public hearing through July 18. Councilmember Ryu seconded the motion, which carried unanimously.

Mr. Olander announced that Jill Marilley resigned from her position as City Engineer. He thanked her for her service on behalf of the City, noting that she has played an instrumental role in capital projects.

9. ACTION ITEMS: OTHER ORDINANCES, RESOLUTIONS, AND MOTIONS

(a) Continued Deliberations of 2006-07 Council Goals

Councilmember Ryu moved to adopt the first eight goals included in the staff report, and two additional goals (#9 and #10) as follows:

- 1. Complete the Projects Approved in the 2006 Parks Bond**
- 2. Implement the Economic Development Strategic Plan**
- 3. Implement an Affordable Civic Center/City Hall Project**
- 4. Complete the Aurora Improvements from 165th to 205th Streets including, but not limited to Sidewalks, Drainage, and Transit**
- 5. Develop a Comprehensive Housing Strategy**
- 6. Create an "Environmentally Sustainable Community"**
- 7. Provide Safe and Affordable Transportation Options to Support Land Use Plans including Walking, Bicycling, Transit and Vehicular Options**
- 8. Develop a Fircrest Master Plan in Partnership with the State**
- 9. Increase Emergency Preparedness Training and Education**
- 10. Increase Opportunities for all Residents, including our Youth, to get more involved in Neighborhood Safety and Improvement Programs**

Councilmember Way seconded the motion.

Councilmember Gustafson moved to substitute for the main motion adoption of the following Council goals:

- 1. Complete the Projects Approved in the 2006 Parks Bond**
- 2. Implement the Economic Development Strategic Plan**
- 3. Implement an Affordable Civic Center/City Hall Project**
- 4. Complete the Aurora Improvements from 165th to 205th Streets including, but not limited to Sidewalks, Drainage, and Transit**
- 5. Develop a Comprehensive Housing Strategy**
- 6. Create an "Environmentally Sustainable Community"**

- 7. Provide Safe and Affordable Transportation Options to Support Land Use Plans including Walking, Bicycling, Transit and Vehicular Options**
- 8. Complete the Interurban Trail Connectors to Local and Regional Destinations**

Councilmember McGlashan seconded the motion.

The Mayor called for public comment.

(a) Dom Amor, Shoreline, advised that decisions regarding Fircrest remain with the state, so the Council's priorities should involve matters the City can control or influence. He said the Fircrest goal could remain as a secondary priority and could be reexamined if the state decides to act at a later time. He noted that Southwoods was brought forward as a high priority, and the same could be done with Fircrest.

(b) Elaine Phelps, Shoreline, urged the Council to include Fircrest in the list of goals, noting that the City should have a voice in state legislative decisions. She also advocated for adopting the Emergency Preparedness goal. She said although the City cannot prepare for every imaginable contingency, it should do everything it can to prepare its citizens.

Councilmember Gustafson spoke in favor of the substitute, pointing out that Council should be mindful of staff workload. He suggested limiting the list to seven or eight goals. He concurred that Fircrest should be pursued, but not as a primary goal. He said he suggested adding Interurban Trail Connectors to the list because many of the citizen surveys and feedback focus on transportation and walking trails. He emphasized the need to connect the Trail to neighboring jurisdictions, including Seattle, Lake Forest Park, and Redmond. He said although Emergency Preparedness is also a goal, it doesn't rise to the level of his top eight goals. He felt strongly that the list should be limited to seven or eight goals and include the Interurban Trail.

Councilmember Way said while the Interurban Trail is important, work on the Trail will continue even if it's not on the list because it has been an existing goal. She felt the Interurban Trail not could be kept as part of the transportation priority. She emphasized the importance of focusing attention on Fircrest, which serves the most vulnerable people in the community and their families. She noted that Fircrest employs 700 people, and the City can experiment with all kinds of innovations on sustainability and human services. She felt the City has an obligation to look after such an important place.

Deputy Mayor Fimia said she and staff are comfortable with the ten proposed goals, noting that the City Manager suggested that the Fircrest goal would have to be in partnership with the state. She said the proposed goals are synergistic and can be further defined at a later time because none of them have an associated work plan yet. The goals serve as a signal to the public that their input has been incorporated into the City's plan. She characterized the goals as inclusive, progressive, and visionary, and they also serve to inspire hope in people. She noted that the list was narrowed down from 36 goals to 10,

and encouraged Councilmembers to help achieve consensus by voting for the list of 10. She said the Fircrest goal sends a signal to the state that the City is serious about planning with them. She added that the Interurban Trail goal will be covered under Safe and Affordable Transportation Options.

Councilmember Hansen supported the substitute motion, noting that if consensus is to be achieved, the Council should vote on the original eight goals. He said the state is doing a good job operating Fircrest, but the implication is there is some threat to the facility. He said when the time is right and the state wants to proceed with a master plan, the City can participate. He noted that this discussion is supposed to be about the City's primary goals, but the more goals that are added, the more staff time and resources are required to produce the work plans. He felt eight goals should be the maximum number the Council approves. He felt adding the Fircrest goal is simply setting the Council up for failure, and he can't vote for a package that promotes failure.

Councilmember Ryu felt the City should participate in developing a Fircrest master plan because of the far-reaching impacts the site has on the City. She said a master plan provides a way for stakeholders to get together and study the site comprehensively. She urged the Council to support the Fircrest goal so the City can decide the future for itself rather than responding to the state. She said there was consensus last week to support a Fircrest goal, and last week's staff report suggested the Interurban Trail goal could be accomplished as a work element under Goal #7.

Mayor Ransom said he would support Councilmember Ryu's motion because there was consensus on the compromise to add "in partnership with the state" to the Fircrest goal.

Councilmember Hansen noted that the consensus last week was a 4-3 vote.

A vote was taken on the substitute motion, which failed 3-4, with Councilmembers Gustafson, Hansen, and McGlashan voting in the affirmative.

Councilmember Ryu restated her motion and said she favors an increased role in helping coordinate with agencies on Emergency Preparedness and increasing the citizens' voice in safety and capital projects. She said safety is a top priority and this goal sends a signal to residents that we care about their input. She said it is a synergistic goal that helps tie all 10 goals together.

Councilmember Hansen said he has no choice but to vote against the motion if it remains a package of 10 goals, so there will be no consensus.

Councilmember Way noted that proposed Goals #9 and #10 are interrelated and work well together. She read from recent community workshop comments which stated support for having "meaningful participatory neighborhood meetings" and "increased neighborhood involvement...in times of emergency." She said safety and active neighborhoods are integral and relate well to the objectives defined under Emergency Management. She emphasized the need to prepare because the magnitude and frequency

of emergencies cannot be predicted. She said the public comments indicate there aren't any objections to adding these additional goals.

Councilmember Gustafson noted that Emergency Management has been an ongoing Council goal for many years, and the City continues to make it a priority. However, it does not rise to the level of his top eight goals, and he is not comfortable with more than eight goals.

Mayor Ransom noted that while the final two goals are not as significant as the first eight, the Council has had 10 goals in the past. He expressed support for the motion.

Councilmember Hansen moved to partition the question by dividing the motion into the following: 1) adoption of the first eight goals (1-8); and 2) adoption of the last two goals (9 and 10). Councilmember Gustafson seconded the motion, which failed 2-5, with Mayor Ransom and Councilmember Hansen voting in the affirmative.

Deputy Mayor Fimia noted that the staff comments are a reflection of Council's direction, so the recommendations in the staff report originated from the Council. She noted that other jurisdictions have responsibility for connecting the Interurban Trail at the north and south boundaries. She said making sure people are ready in case of an earthquake takes precedence over the Interurban Trail, and Goal #9 is important because the average person is not prepared for an emergency. She felt the goals comprise a well-balanced package addressing a variety of issues, including economic development, infrastructure, future planning, and environmental considerations. She noted that the City could do fewer goals, but it is just arbitrary to limit it to seven or eight.

Councilmember McGlashan said he stated at the Council Retreat that more public comment on the goals wasn't necessary, and he felt the Council didn't get any more than it already had. He said 80 comment letters does not necessarily represent the entire 53,000 population of Shoreline, and he is saddened that there will be no consensus on the Council goals. He said the consensus fell apart last week when Councilmember Way produced a list of 10 goals that were different than those discussed previously by the Council. He said he would vote against the motion because he felt four Councilmembers already knew that the proposed items would end up becoming the Council goals.

A vote was taken on the motion to adopt the package of ten Council goals, which carried 4-3, with Councilmembers Gustafson, Hansen, and McGlashan dissenting.

Mr. Olander noted that although there are policy differences, there are far more goals the Council agrees on than those they disagree on. He said staff would bring back work plans and resource allocation recommendations for the adopted goals, and the Council can provide further direction based on that information.

RECESS

At 9:19 p.m., Mayor Ransom called for a ten minutes recess. The meeting reconvened at 9:30 p.m.

(b) Property Acquisition – Civic Center Site

Mr. Olander explained that acquiring a site to build City Hall has been a Council goal since incorporation over ten years ago. During that time the Council has looked at numerous sites, and staff has surveyed over 50 different sites in Shoreline. The Council established several criteria for a City Hall site, including affordability, accessibility, and centrality of location. While there have been advantages and disadvantages to all potential sites, the proposed site meets all of the established criteria as well as community expectations. In addition, the site will continue to increase in value in the coming years. He urged the Council to authorize staff to proceed with the purchase of the Highland Plaza site and the Highland Park site. He noted that material presented in prior Executive Sessions can be released to the public at this time.

Mayor Ransom called for public comment.

(a) Bob Barta, Shoreline, speaking as the Council of Neighborhoods representative to the Emergency Management Council, supported the Civic Center site purchase from an emergency management perspective. He noted that communication is the most important aspect in emergency recovery, and the proposed sites are located at higher elevations, which is conducive to good communications. He felt it would not be wise to influence the relocation of Shorewood High School. He also speculated that the parking lot at Top Foods could function as a major transportation hub.

(b) Harley O'Neil, Shoreline, said he has always supported the idea of the City purchasing its own property for a City Hall. However, his calculations suggest that the cost-per-square-foot for the Highland Plaza site is higher than the estimated cost for the Echo Lake site, and he thought price was the major reason the Echo Lake site was refused. He wondered if the Highland Plaza site would meet the future needs of the City and if the \$24.75 million investment includes all the costs associated with building a City Hall. He suggested that the storage facility on Midvale Avenue might provide adequate space for a Civic Center. He urged the City not to hurry and to ensure it builds what it needs.

(c) Elaine Phelps, Shoreline, supported the proposed purchase, noting that the location is "perfect." She said the site is near public transportation and walking trails, and she is excited to see it move forward. She concurred with a previous speaker about the importance of emergency communications and surmised that the storage facility site is a lower elevation than the proposed site.

Mr. Olander responded to public comments. He noted that the City considered the mini-storage site, but it was expensive property and it did not meet as many criteria as the proposed site. He concurred with Mr. O'Neil that the Echo Lake property was less

expensive, but the proposed property is better for the City's long-range needs and is therefore worth the added cost.

Deputy Mayor Fimia moved approval of the Purchase Agreement in Lieu of Condemnation executed by the City Manager on June 20, 2006 for the purchase of the Highland Plaza property at 1110 N. 175th Street, Shoreline, for \$5,750,000, and authorize the City Manager to waive remaining contingencies related to physical condition of the property, leases, and title if he finds no condition that will materially effect use of the property for the intended civil center. Councilmember Ryu seconded the motion.

Mayor Ransom noted that the Highland Enterprise site was a property the Council had all agreed upon over four years ago, and Mr. Burkett would not follow through on it, so it has come back again.

Mr. Olander noted that the Council achieved consensus on a civic center in the past. He urged Councilmembers to put aside any current differences of opinion and move forward on the site purchase.

Councilmember Hansen noted that former City Manager Burkett followed through on any deal the Council directed him to follow through on. He said if the City didn't acquire the Highland site, it was because we couldn't get a negotiated agreement with them.

Mayor Ransom disagreed with Councilmember Hansen's comment regarding Mr. Burkett. He spoke in favor of the motion, noting that the long-term cost of leasing space will exceed the cost of purchasing property. He said it is to the City's economic advantage to purchase this site. He clarified that this action involves acquiring the site only -- a public process and discussion on the building will come later.

Councilmember Way asked the City Manager to explain the public process that will come later if Council passes this motion tonight.

Mr. Olander replied that the public process will largely depend on the Council. He said following site acquisition, staff will begin working on site and building design. He anticipated that the public would have considerable input in that process. He suggested that a design competition might be a creative way to get public input in the process. He pointed out that a two-year estimate for building completion is quite optimistic, so there will be a significant period of time to consider proposals. He clarified that the Civic Center project will not raise taxes because it will utilize existing revenues. He further clarified that the motion delegates authority to him to ensure the site is feasible.

Councilmember Gustafson supported the motion, noting that Council has spent a lot of time discussing options over the years. He considered the site an ideal location and expressed appreciation to staff for their work on this project.

Deputy Mayor Fimia expressed enthusiastic support for the motion, primarily because of the site location. She noted that she participated in the charrette process several years ago, and the civic center idea has always been in the Comprehensive Plan. She said the Council took direction from the established criteria, and this site fits the criteria very well. She thanked the City Manager and staff for doing a great job, noting that this site looks to the future.

Mayor Ransom pointed out that the Council considered over fifty potential sites and eventually narrowed the list down to twelve. From the twelve, there was unanimous agreement on this site and the Echo Lake site. He expressed strong support for moving forward with the purchase and making the site a location the City can be proud of.

Councilmember Way noted that last year she was against the Echo Lake site because of environmental concerns and the fact that it would be using open space. She stated that there would be greater impacts on that area because it is a sensitive area.

MEETING EXTENTION

At 10:00 p.m. Councilmember McGlashan moved to extend the meeting until 10:10 p.m. Deputy Mayor Fimia seconded the motion, which carried 7-0.

Continuing, Councilmember Way described the many attractive features of the site, including affordability, proximity to walking trails, and improved communications. She said the long-term advantage is that it is better to own rather than rent, and it is better to select a site that will not take up open space or park land. She speculated on whether the site could accommodate limited open space areas. She wished to ensure that the public has adequate opportunities to provide input in the design process. She emphasized the need to explain to the public the benefits of the site, because "it's all about the people of Shoreline."

Councilmember Ryu noted that City Hall was the major topic that got her involved in City business. She said despite her initial reservations regarding Councilmanic bonds and municipal financing, she favors the proposal because it doesn't increase taxes. She said the site purchase is balanced with the Council goals, and as a package with the goals it is much easier for her to "come to peace" with the proposal. She thanked staff for all the work and negotiations regarding this site.

A vote was taken on the motion, which carried 6-1, with Councilmember Hansen dissenting, and the Purchase Agreement in Lieu of Condemnation for the Highland Plaza property was approved.

Deputy Mayor Fimia moved that Council exercise the option to purchase the property located at 1306 N. 175th Street, Shoreline for \$3,300,000 under the terms of the Option and Real Estate Purchase and Sale Agreement executed by the City Manager on May 17, 2006, and authorize the City Manager to waive remaining contingencies related to physical condition of the property, leases, and title if he

finds no condition that will materially effect use of the property for the intended civil center. Councilmember Ryu seconded the motion.

Mr. Olander stated that all the arguments he made in favor of purchasing of the Highland Plaza property also apply to this site.

A vote was taken on the motion, which carried 6-1, with Councilmember Hansen dissenting, and the Council exercised the option to purchase the property located at 1306 N. 175th Street, Shoreline, under the terms of the Option and Real Estate Purchase and Sale Agreement.

10. ADJOURNMENT

At 10:09 p.m., Mayor Ransom declared the meeting adjourned.

Scott Passey, City Clerk

CITY COUNCIL AGENDA ITEM

CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Approval of Expenses and Payroll as of July 14, 2006
DEPARTMENT:	Finance
PRESENTED BY:	Debra S. Tarry, Finance Director <i>P.L.</i>

EXECUTIVE / COUNCIL SUMMARY

It is necessary for the Council to formally approve expenses at the City Council meetings. The following claims/expenses have been reviewed pursuant to Chapter 42.24 RCW (Revised Code of Washington) "Payment of claims for expense, material, purchases-advancements."

RECOMMENDATION

Motion: I move to approve Payroll and Claims in the amount of \$3,668,891.36 specified in the following detail:

***Payroll and Benefits:**

Payroll Period	Payment Date	EFT Numbers (EF)	Payroll Checks (PR)	Benefit Checks (AP)	Amount Paid
6/18/06-7/1/06	7/7/2006	14814-15010	5230-5297	29755-29765	\$359,828.31
					\$359,828.31

***Accounts Payable Claims:**

Expense Register Dated	Check Number (Begin)	Check Number (End)	Amount Paid
7/3/2006	29602	29604	\$7,502.84
7/6/2006	29605	29626	\$441,103.68
7/7/2006	29627	29634	\$927.15
7/10/2006	29635	29648	\$41,598.55
7/10/2006	29649	29674	\$101,418.23
7/11/2006	29675	29695	\$28,447.57
7/11/2006	29696	29717	\$2,639,966.68
7/13/2006	18372		(\$168.00)
	19220		(\$4.50)
	19446		(\$242.00)
7/13/2006	29718	29720	\$414.50
7/13/2006	29382		(\$1,302.99)
7/13/2006	15913		(\$105.00)
7/13/2006	29721	29754	\$49,506.34
			\$3,309,063.05

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CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

<p>AGENDA TITLE: Contract Approval for Parks Landscape and Maintenance Services DEPARTMENT: Parks, Recreation and Cultural Services PRESENTED BY: Dick Deal, Parks Director and Kirk Peterson, Parks Superintendent</p>
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PROBLEM/ISSUE STATEMENT:

The City maintains and operates the park system in Shoreline using full-time and seasonal staff as well as contracted services. At this time, the areas of contracted services include janitorial services as well as a landscape and maintenance service contract. The landscape and maintenance service contract includes ground care tasks such as mowing, line trimming, aeration, fertilization, over-seeding and shrub bed maintenance. We are currently contracting with Vinson Brothers Corporation for landscape and maintenance services and are in our final year of a three year contract that expires December 31, 2006. In preparation for the development of the 2007 annual budget, the PRCS Department issued a Request for Bid (RFB) for Parks Landscape and Maintenance Services on May 1, 2006. A total of four contractors obtained bid packages after the Request for Bids was advertised. Staff held a Pre-Bid Conference on May 16, 2006. In an effort to be sure all elements of the contract were understood by interested contractors, guided tours were conducted on May 17 and 18, 2006 for the sites listed in the contract.

On June 1, 2006 the City Clerks office received three bids. Listed below are the three companies that submitted bids and their cost proposals for landscape and maintenance services.

Schedule A - All ground care basic services at twenty-six park sites including mowing, line trimming, aeration, fertilization, over-seeding and shrub bed maintenance.

Schedule B - All daily athletic field maintenance at nine park sites (field watering, dragging and lining) during each sport season and the installation of additional infield soils on baseball/softball fields.

<u>2007 – 2009 Bidders</u>	<u>Schedule A</u>	<u>Schedule B</u>	<u>Total</u>
N.W. Landscape Services:	\$145,647.36	\$146,078.81	\$291,726.17
Northwestern Landscape Co.:	\$322,993.03	\$114,254.48	\$437,247.51
Vinson Brothers Corporation:	\$229,208.26	\$115,769.83	\$344,978.09
<i>Current 2004 – 2006 contract</i> Vinson Brothers Corporation:			\$339,081.00

ALTERNATIVES ANALYZED:

Staff wrote the 2007 – 2009 Parks Landscape and Maintenance Services contract with two schedules to evaluate costs for basic park maintenance and athletic field services, and determined it was feasible for the City to perform either of these functions at cost savings.

Due to the initial investment of equipment, i.e. large high production mowers, line trimmers, vehicles, extra equipment and staff needed to perform the tasks in Schedule A of the contract, it is not feasible at this time for the City to provide the same level of service at the same price as contracted labor.

Schedule B of the contract includes the preparation of athletic fields. With over 400,000 athletic field users (organized scheduled activities) plus drop in visits for other non-scheduled athletic field users annually, staff wanted to explore how best to serve our athletic field patrons. Staff feels the current level of service is not adequate for many athletic activities. As an example, as per the current contract, all baseball/softball fields are prepared once a day by the contractor. There are multiple games on each field most days and after two or more games, the fields are in need of additional field preparation to improve playability and safety. In the past two years, we have hired an additional seasonal maintenance worker to provide additional field preparation, but this additional effort has not been adequate.

After careful analysis, staff has determined that in-house staff could perform the same contract specifications and exceed the current level of service in Schedule B for the price of \$117,200 with the one time purchase of a small truck for \$16,500. The cost would include staff, materials, supplies and miscellaneous items as well as provide a number of other advantages.

Cost Analysis

<u>Item</u>	<u>Cost</u>
One Park Maintenance Worker II (salary & benefits)	\$55,000
Three seasonal temp workers (salary & benefits)	\$30,000
Infield soil, chalk, liners, vehicle repair & replacement cost, etc.	\$32,200
Total =	<u>\$117,200</u>

The initial years' cost will be \$133,700 due to the need for a one time purchase of a small truck at \$16,500. Over a three year period there will be a cost savings of \$62,220.

Cost Analysis Using a Contractor

<u>Company</u>	<u>Cost</u>	<u>Year</u>
NW Landscape Services:	\$146,078	2007
NW Landscape Services:	\$146,078	2008
NW Landscape Services:	\$146,078	2009
Total for 3 years, Schedule B:	<u>\$438,234</u>	

Cost Analysis Using City Staff

<u>City of Shoreline</u>	<u>Cost</u>	<u>Year</u>
Park Maintenance (includes \$16,500 for truck)	\$133,700	2007
Park Maintenance (includes 2.1% increase)	\$119,661	2008
Park Maintenance (includes 2.5% increase)	\$122,653	2009
Total for 3 years, Schedule B:	<u>\$376,014</u>	

Some of the advantages of performing athletics maintenance and preparation with in-house staff are:

- In-house staff devoted solely to athletics would greatly increase the City's service levels to the 400,000 plus athletic users of our park system by providing additional athletic field preparations on busy days.
- Currently athletic field preparations are completed by one contractor and janitorial services provide by another contractor. When garbage cans need emptying, restrooms are not functioning properly or they are out of paper supplies, the maintenance services contractor does not provide assistance to citizens since it is not in their contact. Using city staff for athletic field maintenance we will be better able to provide assistance for such occurrences.
- Additional work items that were not included in Schedule B could be completed by the athletic maintenance staff including the care of the new synthetic turf fields, repair of athletic fencing, nets, painting of goal posts, cleaning of dugouts and increased frequency of power washing of tennis courts and bleachers.
- During the winter months, in-house athletic maintenance staff would be able to remove lips from around infield edges, fill outfield depressions, repair backstops, and paint and repair athletic field restrooms; all work that is not currently in the landscape and maintenance contract.
- In the recently passed park bond issue, there was \$250,000 approved for athletic field improvements. Some of the improvements will be small, including creating covers for dugouts, concrete bleacher pads, the installation of scoreboards, etc. Some of these small projects could be completed by the athletic field maintenance staff.
- A dedicated fulltime athletic maintenance employee would get to know the schedulers and league officials providing a point of contact and responsive service to repairs and requests from leagues that we are not able to provide using a contractor.

After reviewing the bids received, staff is recommending NW Landscape Services be awarded Schedule A of the Parks Landscape and Maintenance Services Contract based upon reference checks, site inspections of their work and their ability to provide the services specified in the RFB. All Schedule B work items as listed above would be included in the PRCS Department 2007 budget request.

RECOMMENDATION

Staff recommends that Council authorize the City Manager to sign a contract with NW Landscape Services for the sum of \$145,647.36 for Schedule A of the Parks Landscape and Maintenance Services contract for annual maintenance services with the option of renewal on an annual basis for three years.

Approved By: City Manager  City Attorney _____

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CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Motion to Authorize the City Manager \$20,000 in Additional Contract Contingency Authority and to Execute a Contract Amendment with KBA to Extend Construction Management Services to complete the North City Project
DEPARTMENT:	Public Works
PRESENTED BY:	Paul S. Haines, Public Works Director John F. Vicente, Capital Projects Manager

PROBLEM/ISSUE STATEMENT: Staff is requesting that Council authorize the City Manager \$20,000 in additional contingency authority and to execute a contract amendment with KBA to extend construction management services to complete the North City Project.

The current contract with KBA included services through to the end of June. Delays resulting from the Qwest utility underground conversion delayed the project approximately 2½ weeks. The conversion was completed on July 5th. Also, with the absence of key staff, in house resources have become limited prompting the need for outside services to provide assistance in completing the project.

Final concrete pours at the intersections of N 177th and N 180th Streets as well as the pole locations, installation of a few trees, and private property restoration were items put on hold until the utility poles were removed. This final work requires approximately 2 weeks to complete and punch list items and project cleanup will follow. Work in August would consist of reviewing as-built plans for accuracy and transfer of field files to the City.

To complete the project, an additional 1½ months of part time construction management services will be needed for the project which is expected to be completed at the end of July 2006. The remaining ½ month would be for project close out services (review of as-built plans, file close out, final payment to the contractor, close out of field office, contract close out). The contract amendment amount will cover the time needed to complete these services. No additional scope is being added to the contract.

FINANCIAL IMPACT: The budget for the entire 15th Avenue NE/NCBD Project is \$10,002,831, including design, construction, right of way acquisition, and staff time. \$9,512,701 is for the North City Project and \$490,130 is for the 15th Avenue NE/NE 150th Street Signal Project.

During the course of construction, savings were found which reduced the total construction cost of the project. As a result, the additional contract amendment amount would not require an increase in the total funding for the project; staff is requesting an increase in contingency amount for the KBA contract.

The original contract amount for KBA was \$398,985. Amendment #1 for \$32,402 was authorized due cost increases to consultant salaries resulting from delays in the start of construction. Amendment #2 for \$17,598 was authorized due to delays as a result of project changes and weather delays which extended the contract period for a month. If approved, the total contingency for this contract would be \$70,000. Although the \$70,000 is more than 10% of the original contract amount, the first amendment established a new contract amount that reflected changes in the market over the course of a year from when the original contract was signed in April 2004 to when construction was approved in March 2005. Based upon the new contract amount at the start of construction, \$431,387 (\$398,985+\$32,402), the remaining contingency of \$17,598 and \$20,000 would be 8.7% of the contract amount at the start of construction which is within typical ranges for increases due to construction changes.

RECOMMENDATION

Staff recommends that Council authorize the City Manager additional contract contingency authority and to execute a contract amendment with KBA to extend construction management services to complete the North City Project for an amount not to exceed \$20,000.

Approved By: City Manager  City Attorney ____

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE: Adoption of Resolution No. 248 Authorizing the City's Six-Year Transportation Improvement Program for the City of Shoreline
DEPARTMENT: Public Works
PRESENTED BY: Jill M. Marilley, P.E. Engineer

PROBLEM/ISSUE STATEMENT: On June 12, 2006, staff presented the proposed 2007-2012 Transportation Improvement Program (TIP) to the City Council. In accordance with TIP adoption requirements, a public hearing was conducted on June 26, 2006 to solicit public comments on the proposed projects. A resolution is required to adopt the 2007 – 2012 TIP. Resolution No. 248 is attached for your review and execution. The TIP is used to secure federal funding for transportation projects as part of the Statewide Transportation Improvement Program (STIP).

FINANCIAL IMPACT: The projects identified in the City's TIP are outlined in the Roads Capital Fund of the 2007 -2012 Capital Improvement Program. The attached resolution provides a summary of the proposed 2007-2012 TIP projects.

RECOMMENDATION

Staff recommends that Council adopt Resolution No. 248 authorizing the 2007-2012 Transportation Improvement Program.

Approved By:

City Manager  City Attorney 

Attachment A – Resolution No. 248 adopting the 2007-2012 TIP

RESOLUTION NO. 248

**A RESOLUTION OF THE CITY COUNCIL THE CITY OF SHORELINE,
WASHINGTON, ADOPTING A SIX-YEAR (2007 – 2012)
TRANSPORTATION IMPROVEMENT PROGRAM AND DIRECTING THE
SAME TO BE FILED WITH THE STATE SECRETARY OF
TRANSPORTATION AND TRANSPORTATION IMPROVEMENT BOARD.**

WHEREAS, pursuant to the requirements of Chapter 35.77 and 47.26 RCW, the City Council of the City of Shoreline has previously adopted a Comprehensive Plan including a Capital Improvement Plan, and

WHEREAS, the City Council of the City of Shoreline has reviewed the work accomplished under the said Program, determined current and future City Street needs, and based upon these findings a Six-Year Transportation Improvement Program for the ensuing six (6) calendar years has been prepared as part of the Annual Capital Improvement Plan update, and

WHEREAS, a public hearing has been held on the Six-Year Transportation Improvement Program.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SHORELINE,
WASHINGTON, HEREBY RESOLVES AS FOLLOWS:**

That the 2007-2012 Annual Update of the Six Year Transportation Improvement Program is approved.

Section 1. **Program Adopted.** The Six-Year Transportation Improvement Program for the City of Shoreline for the ensuing six (6) calendar years (2007 – 2012, inclusive), a copy of which is attached hereto as Exhibit A and incorporated herein by this reference as if fully set forth, which Program sets forth the project location, type of improvement and estimated cost thereof and Annual Programs such as the Annual Overlay Program, is hereby adopted and approved.

Section 2. **Filing of Program.** Pursuant to Chapter 35.77 RCW, the City Clerk is hereby authorized and directed to file a copy of this resolution forthwith, together with the Exhibit attached hereto, with the Secretary of Transportation and a copy with the Transportation Improvement Board for the State of Washington.

ADOPTED BY THE CITY COUNCIL ON JULY 24, 2006.

Mayor Robert L. Ransom

ATTEST:

Scott Passey
City Clerk

City of Shoreline – Proposed 2007 – 2012 Transportation Improvement Plan

EXPENDITURES								
Fund	Project	Proposed 2007	Proposed 2008	Proposed 2009	Proposed 2010	Proposed 2011	Proposed 2012	Total 2007-2012
<u>Roads Capital Fund</u>								
<i>Pedestrian / Non-Motorized Projects</i>								
	Interurban Trail Safety & Enhancement	\$100,000	\$0	\$0	\$0	\$0	\$0	\$100,000
	Curb Ramp, Gutter & Sidewalk Program	\$114,000	\$120,000	\$125,000	\$131,000	\$136,000	\$142,000	\$768,000
	Sidewalks - Priority Routes	\$785,000	\$940,000	\$945,000	\$950,000	\$960,000	\$967,000	\$5,547,000
	Traffic Small Works	\$203,000	\$221,000	\$241,000	\$261,000	\$285,000	\$308,000	\$1,519,000
<i>System Preservation Projects</i>								
	Annual Road Surface Maintenance Program	\$788,000	\$825,000	\$863,000	\$900,000	\$938,000	\$975,000	\$5,289,000
	Richmond Beach Overcrossing 167AOX	\$2,125,000	\$0	\$0	\$0	\$0	\$0	\$2,125,000
	Traffic Signal Rehabilitation	\$153,000	\$156,000	\$0	\$0	\$0	\$0	\$309,000
<i>Safety / Operations Projects</i>								
	Neighborhood Traffic Safety Program	\$178,000	\$189,000	\$200,000	\$212,000	\$233,000	\$254,000	\$1,266,000
	Aurora Avenue North 165th - 205th	\$1,626,000	\$12,878,000	\$22,333,000	\$19,900,000	\$20,022,000	\$205,000	\$76,964,000
	Aurora Avenue North 165th - 205th Utility Improvements	\$0	\$5,000,000	\$5,000,000	\$0	\$0	\$0	\$10,000,000
	NCBD/15th Avenue Improvements	\$114,356	\$0	\$0	\$0	\$0	\$0	\$114,356
	Dayton Avenue North @ North 175th Street Retaining Wall	\$725,000	\$0	\$0	\$0	\$0	\$0	\$725,000
	Meridian Avenue North & N. 175th Subarea Study	\$69,000	\$0	\$0	\$0	\$0	\$0	\$69,000
	Richmond Beach Road Subarea Study	\$0	\$75,000	\$0	\$0	\$0	\$0	\$75,000
	Aurora Avenue @ N. 185th Street Intersection Improvements	\$150,000	\$0	\$0	\$0	\$0	\$0	\$150,000
<i>Non-Project Specific</i>								
	Transportation Improvements Formulation & Engineering	\$262,398	\$273,918	\$283,864	\$296,257	\$296,120	\$171,476	\$1,584,033
	General Fund Cost Allocation Overhead Charge	\$56,120	\$56,120	\$56,120	\$56,120	\$56,120	\$56,120	\$336,720
Roads Capital Fund Total		\$7,448,874	\$20,734,038	\$30,046,984	\$22,706,377	\$22,926,240	\$3,078,596	\$106,941,109

Month	2002	2003	2004	2005	2006	Amount Over/(Under) Prior Year	2006 Budget	Amount Over/(Under) Budget	Programmed in 2007-2012 Proposed CIP	2006 Revised Projections -		2006 Revised Projections -
										Low	High	
January	78,524	76,458	82,318	126,044	125,560	(483)	66,362	59,199		125,560	125,560	
February	91,322	101,668	135,600	222,265	136,203	(86,062)	100,609	35,594		136,203	136,203	
March	105,726	155,632	166,550	177,476	190,943	13,466	110,568	80,374		190,943	190,943	
April	115,410	132,256	236,866	166,134	205,055	38,920	118,839	86,216		205,055	205,055	
May	115,258	141,354	179,488	256,538	223,350	(33,188)	126,504	96,846		223,350	223,350	
June	149,192	167,334	219,966	304,327	307,244	2,917	153,568	153,675		307,244	307,244	
July	118,082	172,760	168,920	435,580	-		163,527			163,527	285,204	
August	117,122	202,678	168,976	251,362	-		135,180			135,180	235,765	
September	110,554	154,484	170,500	220,820	-		119,878			119,878	209,078	
October	130,300	173,272	180,864	215,665	-		127,867			127,867	223,012	
November	115,926	106,760	130,816	141,849	-		90,472			90,472	157,790	
December	112,054	118,258	175,688	207,101	-		111,974			111,974	195,292	
Total	1,359,470	1,702,914	2,016,532	2,725,162	1,188,354	(64,430)	1,425,348	511,904	1,750,000	1,937,252	2,494,495	
										187,252	744,495	

Difference between CIP Amount

CITY COUNCIL AGENDA ITEM

CITY OF SHORELINE, WASHINGTON

AGENDA TITLE: Continue Public Hearing on the Proposed 2007-2012 Capital Improvement Plan (CIP) and Adoption of Ordinance No. 436, Authorizing the City's 2007-201 CIP

DEPARTMENT: Finance

PRESENTED BY: Debbie Tarry, Finance Director

PROBLEM/ISSUE STATEMENT:

On June 12, 2006, staff presented the proposed 2007 – 2012 CIP to the City Council. The following schedule has been followed to facilitate the adoption of the 2007 – 2012 CIP.

June 12, 2006	Presentation of the Proposed 2007 – 2012 CIP and TIP
June 26, 2006	Public Hearing on the Proposed 2007 – 2012 CIP and TIP
July 18, 2006	Council Discussion on the Proposed 2007 – 2012 CIP and TIP
July 24, 2006	Council Adoption of 2007 – 2012 CIP and 2007 – 2012 TIP

Tonight the public hearing will be continued to allow testimony on the proposed capital projects included in the six-year CIP. Subsequent to the public hearing, Council will complete their discussion and consider the adoption of the proposed 2007-2012 Capital Improvement Plan.

FINANCIAL IMPACT:

The Proposed 2007-2012 CIP is balanced, as required by the Growth Management Act. The Proposed 2007-2012 CIP totals nearly \$158.8 million. The following table is a summary of the six-year plan by fund:

Capital Fund	2006	2007	2008	2009	2010	2011	Total
General Capital	\$23,742,266	\$7,237,824	\$876,279	\$394,154	\$510,271	\$1,200,645	\$33,961,441
City Facilities	\$110,000	\$70,000	\$101,000	\$80,000	\$26,000	\$88,000	\$475,000
Roads Capital	\$7,448,874	\$20,734,038	\$30,046,984	\$22,706,377	\$22,926,240	\$3,078,596	\$106,941,109
SWM Capital	\$3,932,067	\$4,399,230	\$2,296,951	\$2,795,258	\$1,951,180	\$2,027,180	\$17,401,866
CIP By Year	\$35,233,207	\$32,441,092	\$33,321,214	\$25,975,789	\$25,413,691	\$6,394,421	\$158,779,417

Attachment B is a summary of the proposed 2007 - 2012 Capital Improvement Plan by project.

RECOMMENDATION

Staff recommends that the Council adopt the 2007 - 2012 Capital Improvement Plan, by approving Ordinance No. 436.

ATTACHMENTS:

Attachment A – Ordinance No. 436, Adopting the 2007-2012 Capital Improvement Plan

Attachment B - Proposed 2007 - 2012 Capital Improvement Plan Summary

Approved By:

City Manager

A handwritten signature in black ink, appearing to be "J. H.", written over a horizontal line.

City Attorney

A handwritten signature in black ink, appearing to be "J. H.", written over a horizontal line.

ORDINANCE NO. 436

**AN ORDINANCE OF THE CITY OF SHORELINE,
WASHINGTON, ADOPTING THE 2007 - 2012 SIX-YEAR
CAPITAL IMPROVEMENT PLAN**

WHEREAS, the City Council adopted Ordinance No. 395 on July 11, 2005 which adopted the 2006 – 2011 Capital Improvement Plan; and

WHEREAS, the City Council opened a public hearing on the proposed 2007-2012 Capital Improvement Plan on June 26, 2006 and closed the public hearing on July 24, 2006; and

WHEREAS, the State Growth Management Act (RCW 36.70A) requires the adoption of the Capital Improvement Plan;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF
SHORELINE, WASHINGTON, DO ORDAIN AS FOLLOWS:**

Section 1. Adopting the 2007 - 2012 Capital Improvement Plan. The City hereby adopts the six-year Capital Improvement Plan for the years 2007 – 2012 filed with the City Clerk under Clerk's Receiving No. 3900.

Section 2. Effective Date and Publication. A summary of this ordinance consisting of its title shall be published in the official newspaper of the City. This ordinance shall take effect and be in full force August 1, 2006.

PASSED BY THE CITY COUNCIL ON JULY 24, 2006.

Mayor Robert Ransom

ATTEST:

APPROVED AS TO FORM:

Scott Passey, CMC
City Clerk

Ian Sievers
City Attorney

Date of Publication: July 27, 2006
Effective Date: August 1, 2006

City of Shoreline 2007 – 2012 Capital Improvement Plan

PROGRAM SUMMARY

EXPENDITURES		Proposed	Proposed	Proposed	Proposed	Proposed	Proposed	Proposed	Total
Fund	Project	2007	2008	2009	2010	2011	2012	2007-2012	
<u>General Capital</u>									
<u>Facilities Projects</u>									
	City Hall	\$18,400,000	\$0	\$0	\$0	\$0	\$0	\$0	\$18,400,000
	City Gateways/Community Signage	\$50,000	\$50,000	\$50,000	\$0	\$0	\$0	\$0	\$150,000
	City Maintenance Facility	\$34,000	\$0	\$0	\$0	\$0	\$0	\$0	\$34,000
<u>Parks Projects</u>									
	Richmond Beach Saltwater Park Improvements	\$1,090,000	\$2,150,000	\$0	\$0	\$0	\$0	\$0	\$3,240,000
	Parks Equipment	\$15,000	\$93,000	\$0	\$0	\$100,000	\$0	\$0	\$208,000
	Spartan Gym Upgrades	\$85,000	\$0	\$0	\$0	\$0	\$0	\$0	\$85,000
	Parks Repair & Maintenance	\$205,000	\$231,000	\$242,000	\$252,000	\$263,000	\$273,000	\$1,466,000	\$1,466,000
	Ronald Bog Park Master Plan	\$0	\$0	\$72,000	\$0	\$0	\$0	\$0	\$72,000
	Twin Ponds Master Plan	\$0	\$61,000	\$0	\$0	\$0	\$0	\$0	\$61,000
	Richmond Beach Area Park Improvements	\$400,000	\$255,187	\$0	\$0	\$0	\$0	\$0	\$655,187
	Richmond Beach Saltwater Park Bridge Replacement	\$47,000	\$200,000	\$0	\$0	\$0	\$775,000	\$1,022,000	\$1,022,000
	Cromwell Park	\$127,000	\$1,500,000	\$0	\$0	\$0	\$0	\$0	\$1,627,000
	Boeing Creek Park Improvements	\$186,000	\$940,000	\$0	\$0	\$0	\$0	\$0	\$1,126,000
	N. 180th & Midvale Ave. N. Park Development	\$6,000	\$0	\$0	\$0	\$0	\$0	\$0	\$6,000
	Baseball/Softball Field Improvements	\$125,000	\$125,000	\$0	\$0	\$0	\$0	\$0	\$250,000
	Hamlin Park Improvements	\$300,000	\$450,000	\$0	\$0	\$0	\$0	\$0	\$750,000
	Kruckeberg Gardens	\$200,000	\$0	\$0	\$0	\$0	\$0	\$0	\$200,000
	Off Leash Dog Park	\$140,000	\$0	\$0	\$0	\$0	\$0	\$0	\$140,000
	Shoreline Center Tennis Court Lights	\$60,000	\$0	\$0	\$0	\$0	\$0	\$0	\$60,000
	Trail Corridors	\$1,050,000	\$1,050,000	\$375,000	\$0	\$0	\$0	\$0	\$2,475,000
	Twin Ponds Park Soccer Field Improvements	\$936,000	\$0	\$0	\$0	\$0	\$0	\$0	\$936,000

PROGRAM SUMMARY

Open Space Projects									
Paramount Open Space	\$158,050	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$158,050
Non-Project Specific									
General Capital Engineering	\$88,419	\$92,840	\$97,482	\$102,357	\$107,474	\$112,848			\$601,421
General Fund Cost Allocation Charge	\$39,797	\$39,797	\$39,797	\$39,797	\$39,797	\$39,797			\$238,782
General Capital Fund Total	\$23,742,266	\$7,237,824	\$876,279	\$394,154	\$510,271	\$1,200,645			\$33,961,440

City Facilities - Major Maintenance

[illegible]

Roads Capital Fund

Interurban Trail Safety & Enhancement	\$100,000	\$0	\$0	\$0	\$0	\$0	\$100,000
	\$114,000	\$120,000	\$125,000	\$131,000	\$136,000	\$142,000	\$768,000
	\$785,000	\$940,000	\$945,000	\$950,000	\$960,000	\$967,000	\$5,547,000
	\$203,000	\$221,000	\$241,000	\$261,000	\$285,000	\$308,000	\$1,519,000
System Preservation Projects							
Annual Road Surface Maintenance Program	\$788,000	\$825,000	\$863,000	\$900,000	\$938,000	\$975,000	\$5,289,000
Richmond Beach Overcrossing 167AOX	\$2,125,000	\$0	\$0	\$0	\$0	\$0	\$2,125,000
Traffic Signal Rehabilitation	\$153,000	\$156,000	\$0	\$0	\$0	\$0	\$309,000

City of Shoreline 2007 – 2012 Capital Improvement Plan

PROGRAM SUMMARY

Safety / Operations Projects										
Neighborhood Traffic Safety Program	\$178,000	\$189,000	\$200,000	\$212,000	\$233,000	\$254,000	\$1,266,000			
Aurora Avenue North 165th - 205th	\$1,626,000	\$12,878,000	\$22,333,000	\$19,900,000	\$20,022,000	\$205,000	\$76,964,000			
Aurora Avenue North 165th - 205th Utility Improvements	\$0	\$5,000,000	\$5,000,000	\$0	\$0	\$0	\$10,000,000			
NCBD/15th Avenue Improvements	\$114,356	\$0	\$0	\$0	\$0	\$0	\$114,356			
Dayton Avenue North @ North 175th Street Retaining Wall	\$725,000	\$0	\$0	\$0	\$0	\$0	\$725,000			
Meridian Avenue North & N. 175th Subarea Study	\$69,000	\$0	\$0	\$0	\$0	\$0	\$69,000			
Richmond Beach Road Subarea Study	\$0	\$75,000	\$0	\$0	\$0	\$0	\$75,000			
Aurora Avenue @ N. 185th Street Intersection Improvements	\$150,000	\$0	\$0	\$0	\$0	\$0	\$150,000			
Non-Project Specific										
Transportation Improvements Formulation & Engineering	\$262,398	\$273,918	\$283,864	\$296,257	\$296,120	\$171,476	\$1,584,033			
General Fund Cost Allocation Overhead Charge	\$56,120	\$56,120	\$56,120	\$56,120	\$56,120	\$56,120	\$336,720			
Roads Capital Fund Total	\$7,448,874	\$20,734,038	\$30,046,984	\$22,706,377	\$22,926,240	\$3,078,596	\$106,941,109			
Surface Water Capital										
Flood Protection Projects										
Surface Water Small Projects	\$169,000	\$176,000	\$183,000	\$191,000	\$198,000	\$206,000	\$1,123,000			
East Boeing Creek Drainage Improvements	\$535,000	\$275,000	\$275,000	\$0	\$0	\$0	\$1,085,000			
Hillwood Park Emergency Bypass	\$0	\$0	\$0	\$46,000	\$138,000	\$143,000	\$327,000			
Boeing Creek Park Stormwater Project	\$65,000	\$738,000	\$0	\$0	\$0	\$0	\$803,000			
Pan Terra Pond & Pump Project	\$97,000	\$1,857,000	\$0	\$0	\$0	\$0	\$1,954,000			
Pump Station No. 25	\$158,000	\$0	\$0	\$0	\$0	\$0	\$158,000			
Serpentine Place Storm Drainage Improvements	\$0	\$0	\$117,000	\$683,000	\$0	\$0	\$800,000			
Ridgecrest Drainage @ 10th Avenue N.E.	\$0	\$156,000	\$274,000	\$286,000	\$0	\$0	\$716,000			
Cromwell Park Wetland	\$163,000	\$0	\$0	\$0	\$0	\$0	\$163,000			
Cromwell Park Pond	\$278,000	\$0	\$0	\$0	\$0	\$0	\$278,000			
Thornton Creek Corridor	\$1,442,000	\$0	\$0	\$0	\$0	\$0	\$1,442,000			
18th Avenue Drainage Improvements	\$0	\$225,000	\$0	\$0	\$0	\$0	\$225,000			

City of Shoreline 2007 – 2012 Capital Improvement Plan

PROGRAM SUMMARY

N. 167th & Whitman Ave. N. Drainage Improvements	\$50,000	\$450,000	\$0	\$0	\$0	\$0	\$500,000
Ronald Bog Park	\$360,000	\$0	\$0	\$0	\$0	\$0	\$360,000
Water Quality Facilities							
Third Avenue Storm Water Treatment Project	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Darnell Park Wetpond	\$30,000	\$78,000	\$0	\$0	\$0	\$0	\$108,000
Ridgecrest Drainage @ 10th Avenue N.E. Wetpond	\$0	\$16,000	\$40,000	\$42,000	\$0	\$0	\$98,000
Cromwell Park Wetpond	\$125,000	\$0	\$0	\$0	\$0	\$0	\$125,000
Stream Rehabilitation/Habitat Enhancement							
Stream Rehabilitation/Habitat Enhancement Program	\$58,000	\$63,000	\$70,000	\$77,000	\$87,000	\$102,000	\$457,000
Boeing Creek Reach 1 - Bank Stabilization	\$0	\$0	\$645,000	\$725,000	\$755,000	\$786,000	\$2,911,000
Boeing Creek Reach 8 - Bank Stabilization	\$0	\$0	\$315,000	\$354,000	\$368,000	\$383,000	\$1,420,000
Green (Shore) Streets Initiative	\$50,000	\$0	\$0	\$0	\$0	\$0	\$50,000
Non-Project Specific							
Surface Water Project Formulation & Engineering	\$269,255	\$282,418	\$295,139	\$308,446	\$322,368	\$324,368	\$1,801,994
General Fund Cost Allocation Overhead Charge	\$82,812	\$82,812	\$82,812	\$82,812	\$82,812	\$82,812	\$496,872
Surface Water Capital Fund Total	\$3,932,067	\$4,399,230	\$2,296,951	\$2,795,258	\$1,951,180	\$2,027,180	\$17,401,866
TOTAL EXPENDITURES	\$35,233,207	\$32,441,092	\$33,321,214	\$25,975,789	\$25,413,691	\$6,394,421	\$158,779,415
RESOURCES							
General Fund Contribution	\$1,057,243	\$1,061,109	\$1,065,043	\$1,068,842	\$1,072,776	\$1,076,710	\$6,401,724
Real Estate Excise Tax - 1st Quarter Percent	\$400,000	\$408,000	\$416,160	\$424,483	\$432,973	\$441,632	\$2,523,248
Real Estate Excise Tax - 2nd Quarter Percent	\$800,000	\$816,000	\$832,320	\$848,966	\$865,946	\$883,265	\$5,046,497
Fuel Tax	\$591,312	\$609,848	\$629,091	\$649,071	\$669,820	\$691,373	\$3,840,515
Surface Water Fees	\$940,894	\$989,683	\$1,038,305	\$1,088,671	\$1,140,385	\$1,191,702	\$6,389,640
Investment Interest Income	\$1,294,261	\$793,489	\$383,102	\$119,395	\$202,827	\$110,229	\$2,903,305
<u>Municipal Financing</u>	<u>\$12,750,000</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$12,750,000</u>

City of Shoreline 2007 – 2012 Capital Improvement Plan

PROGRAM SUMMARY

<u>Other Financing</u>	\$0	\$0	\$0	\$3,237,500	\$2,240,000	\$483,500	\$5,961,000
<u>Public Works Trust Fund Loan</u>	\$2,033,200	\$134,300	\$0	\$0	\$0	\$0	\$2,167,500
Grants - Awarded	\$3,389,000	\$7,779,673	\$15,919,239	\$0	\$0	\$0	\$27,087,912
<u>Future Grants</u>	\$429,025	\$3,480,186	\$2,507,565	\$19,950,000	\$16,677,000	\$0	\$43,043,776
King County Mitigation (Brightwater, Hidden Lake)	\$400,000	\$1,377,757	\$0	\$0	\$0	\$0	\$1,777,757
Utility Reimbursements	\$0	\$5,000,000	\$5,000,000	\$0	\$0	\$0	\$10,000,000
LID Participation	\$0	\$0	\$236,250	\$237,500	\$240,000	\$241,750	\$955,500
Use of Accumulated Fund Balance	\$11,148,273	\$9,991,047	\$5,294,139	(\$1,648,640)	\$1,871,964	\$1,274,259	\$27,931,042
TOTAL RESOURCES	\$35,233,207	\$32,441,092	\$33,321,214	\$25,975,789	\$25,413,691	\$6,394,421	\$158,779,415

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Adoption of Ordinance No. 431, a Site Specific Rezone located at 18016 Stone Ave N. File No. 201522
DEPARTMENT:	Planning and Development Services
PRESENTED BY:	Joe Tovar, PADS Director Steven Szafran, Planner II

PROBLEM/ISSUE STATEMENT:

The issue before Council is an application for a Site Specific Rezone of one parcel located at 18016 Stone Ave N (see **Attachment C1**). The applicant has requested that the parcel be rezoned from Residential 8 dwelling units per acre (R-8) to Residential 12 dwelling units per acre (R-12). **Attachment C3** shows the current land use designation of adjacent parcels while **Attachment C2** shows the current zoning of the immediate area.

A rezone of property in single ownership is a Quasi-Judicial decision of the Council. An open record public hearing was conducted before the Planning Commission on June 15th, 2006. Council's review must be based upon the written record and no new testimony may be accepted. The Planning Commission completed its recommendation to Council on the proposed Rezone on June 15th, 2006.

ALTERNATIVES ANALYZED: The following options are within Council's discretion and have been analyzed by staff:

- The Council could adopt the zoning requested by the applicant and recommended by the Planning Commission and Staff (a rezone from R-8 to R-12) by adopting Ordinance No. 431 (**Attachment A**).
- The Council could deny the rezone request, leaving the zoning at R-8.

FINANCIAL IMPACTS:

- There are no direct financial impacts to the City.

RECOMMENDATION

The Planning Commission and Staff recommend that Council adopt Ordinance No. 431, (**Attachment A**) thereby approving the rezone of one parcel located generally at 18016 Stone Ave N from Residential 8 units per acre (R-8) to Residential 12 units per acre (R-12).

Approved By:

City Manager 

City Attorney 

INTRODUCTION

The rezone application before Council is a request to change the zoning designation for one parcel generally located at 18016 Stone Ave N from R-8 to R-12.

A public hearing before the Planning Commission was opened and closed on June 15th, 2006. The Planning Commission Findings and Recommendation are included in **Attachment A, Ex. A.**

The Planning Commission unanimously recommended that the rezone of the property from R-8 to R-12 be approved. The draft minutes from the public hearing are included in **Attachment D.**

BACKGROUND

In 1998 the City of Shoreline adopted its first Comprehensive Plan. This document includes a map that identifies future land use patterns by assigning each area a land use designation. The subject parcel, and those adjoining it to the north, east and south, were designated Medium Density Residential in the Comprehensive Plan. The Comprehensive Plan document specified appropriate zoning districts for this designation as any of the following: R-8 and R-12. The current zoning (R-8) and the requested reclassification (R-12) of the parcel are both consistent with the Medium Density Residential land use designation.

PROCESS

The application process for this project began on February 3rd, 2006, when a pre-application meeting was held with the applicant and City staff. The applicant then held the requisite neighborhood meeting on March 3rd, 2006. The formal application was submitted to the City on April 4th, 2006, and it was determined complete on April 7th, 2006.

The requisite public hearing was held before the Planning Commission on June 15th, 2006. The Planning Commission made a recommendation and formulated Findings and Determination on the night of the public hearing. The Planning Commission voted 7-0 to recommend approval of the rezone.

PUBLIC COMMENT

The City received 4 letters comment letters in response to the standard notice procedures for this application (the written comment deadline was April 27th, 2006). The applicant and six adjacent neighbors testified at the Planning Commission public hearing on this proposed action.

The following two sections discuss the two options referred to on the first summary page. In this case it is: 1) The adoption of the Planning Commission and Staff recommendation or 2) Denial of the rezone request.

REZONE TO R-12

The applicant has requested that the subject parcel be rezoned to R-12. Planning Commission in their Findings and Determination (**Attachment A, Ex. A**) found that a rezone to R-12 has been evaluated and found to be consistent with the rezone decision criteria, listed below, provided in Section 20.30.320(B) of the Development Code.

- Criteria 1: The rezone is consistent with the Comprehensive Plan.*
- Criteria 2: The rezone will not adversely affect the public health, safety or general welfare.*
- Criteria 3: The rezone is warranted in order to achieve consistency with the Comprehensive Plan.*
- Criteria 4: The rezone will not be materially detrimental to uses or property in the immediate vicinity of the subject rezone.*
- Criteria 5: The rezone has merit and value for the community.*

DENIAL OF REZONE REQUEST

The Council may review the written record and determine that R-8 zoning is the most appropriate designation for the subject parcel. This determination would be consistent with the Comprehensive Plan designation of "Medium Density Residential" for the parcel, as this designation includes both the existing zoning (R-8) and the requested zoning (R-12). The site could be developed at an R-8 density; however, an R-12 zoning improves housing choices and enables a lower impact form of single-family development than would be achieved with a typical R-8 housing product (see discussion in Planning Commission Staff Report in Attachment A).

RECOMMENDATION

The Planning Commission and Staff recommend that Council adopt Ordinance No. 431, (**Attachment A**) thereby approving the rezone of one parcel located at 18016 Stone Ave N from Residential 8 units per acre (R-8) to Residential 12 units per acre (R-12).

ATTACHMENTS

Attachment A: Ordinance No. 431: R-8 to R-12.

Ex A - Planning Commission Findings and Determination

Ex. B - Legal Description

Ex C – Concomitant Agreement

Attachment C: Planning Commission Staff Report

C1: Site Plan and Tree Inventory

C2: Vicinity Map with Zoning Designations

C3: Vicinity Map with Comprehensive Plan Land Use Designations

C4: Historic Property Inventory Form

C5: Vicinity Map with Sidewalks, Schools and Parks

Attachment D: Draft Planning Commission Minutes- April 6th, 2006

ORDINANCE NO. 431

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON AMENDING THE CITY'S OFFICIAL ZONING MAP TILE NUMBER 451 CHANGING THE ZONING FROM RESIDENTIAL 8 DU-AC (R-8) TO RESIDENTIAL 12 DU-AC (R-12)) WITH CONTRACT REZONE #R-CZ-06-01, SUBJECT TO RESTRICTIVE COVENANTS, FOR THE PARCEL LOCATED AT 18016 STONE AVENUE N (PARCEL NUMBER 7276100285

WHEREAS, the owner of the property, with parcel number 7276100285, has filed an application to reclassify the property from Residential 8 units per acre (R-8) to Residential 12 units per acre (R-12); and

WHEREAS, on June 15th, 2006, a public hearing on the application for reclassification of property was held before the Planning Commission for the City of Shoreline pursuant to notice as required by law; and

WHEREAS, on June 15th, 2006, the Planning Commission recommended approval of the reclassification to R-12 as well as a number of conditions for redevelopment, subject to a covenant restricting the uses and setting conditions of development as specified in the Contract Zone and Concomitant Zoning Agreement #R-CZ-06-01 and entered findings of fact and conclusions based thereon in support of that recommendation; and

WHEREAS, the City Council does concur with the Findings and Determinations of the Planning Commission specifically that the reclassification of property, located at 18016 Stone Avenue N (parcel number 7276100285) to R-12 is consistent with the goals and policies of the Comprehensive Plan and appropriate for this site;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SHORELINE DO ORDAIN AS FOLLOWS:

Section 1. Findings. The Findings and Determinations on File No. 201522 as set forth by the Planning Commission on June 15th, 2006 and as attached hereto as Exhibit A is hereby adopted.

Section 2. Amendment to Zoning Map. The Official Zoning Map Tile 471 of the City of Shoreline is hereby amended to change the zoning classification of said parcel described and depicted in Exhibit B located at 18016 Stone Avenue N (parcel number 7276100285) from R-8 to R-12 with contract Zone #R-CZ-05-01 subject to the Concomitant Zoning Agreement attached hereto as Exhibit C, which covenant is incorporated herein as part of this ordinance by reference, and all uses of the property rezoned by this ordinance shall. Be in strict conformity with the provisions of the concomitant zoning agreement. Nothing in this ordinance or the concomitant zoning agreement attached hereto shall limit the shoreline City Council from amending, modifying, or terminating the land use designation adopted by this ordinance.

Section 4. Severability. If any provision of this ordinance or the application of a provision to any person or circumstance is declared invalid, then the remainder of this Ordinance, or the application of such provision to other persons or circumstances, shall not be affected.

Section 5. Effective Date. This ordinance shall go into effect five days after passage, publication of the title as a summary of this ordinance and the property execution and recording of the Concomitant Zoning Agreement attached hereto as Exhibit C; provided, that if such Agreement is not executed and recorded within thirty (30) days from the date of final passage of this ordinance, this ordinance shall become void and not go into effect. If owners of the property file a written request, the property shall revert to the original land use designation prior to this rezone or such other default land use designation as may hereafter be adopted by the city council.

PASSED BY THE CITY COUNCIL ON JULY 24, 2006.

Mayor Robert L. Ransom

ATTEST:

APPROVED AS TO FORM:

Scott Passey
City Clerk

Ian Sievers
City Attorney

Date of Publication: July 27, 2006
Effective Date: August 1, 2006

**FINDINGS AND DETERMINATION OF THE CITY OF SHORELINE PLANNING
COMMISSION**

Scott Becker Rezone Request File #201522

Summary-

Following the public hearing and deliberation on the request to change the zoning designation for a 15,200 Sq. Ft. parcel located at 18016 Stone Ave N, the City of Shoreline Planning Commission has determined that the request is in compliance with City codes and not detrimental to the health, safety, or welfare of the City of Shoreline, and therefore recommends approval of such action.

I. FINDINGS OF FACT

1. Project Description-

- 1.1 Rezone the subject parcel from R-8 (Residential 8 units per acre) to R-12 (Residential 12 units per acre).
- 1.2 Site Address: 18016 Stone Ave N
- 1.3 Parcel Number: 727610-0285
- 1.4 Zoning: R-8
- 1.5 The subject property has a current land use designation of Medium Density Residential identified on the City of Shoreline's Comprehensive Plan Land Use Map. The status of Medium Density Residential allows for a change in zoning up to R-12 zoning.

2. Procedural History-

- 2.1 Public hearing held by the Planning Commission: June 15th, 2006
- 2.2 Notice of Public Hearing and SEPA Determination of Nonsignificance: May 4th, 2006
- 2.3 End of 14 day Public Comment Period: April 27th, 2006
- 2.4 Notice of Application with Optional DNS: April 13th, 2006
- 2.5 Complete Application Date: April 7th, 2006
- 2.6 Application Date: April 4th, 2006
- 2.7 Neighborhood meeting Date: March 3rd, 2006
- 2.8 Pre-Application Meeting Date: February 3rd, 2006
- 2.9 Notification of Neighborhood Meeting: December 13th, 2005

3 Public Comment-

3.1 The following individuals participated in Neighborhood Meetings:

No individuals attended the neighborhood meeting.

3.2 Written Comments have been received from:

Name	Comment
Laura Brent, AICP	Removal of trees may affect trees on adjacent lot, loss of screening, access easement, construction noise, drainage from increased impervious surfaces.
Yefim Leibman and Ella Goltsman	Rather see two homes instead of four, increased traffic, water draining to adjacent properties, trees falling onto adjacent property, new development adjacent to subject parcel will add to drainage concerns.
Martin Kral	Historic structure on the site, R-12 would be spot zoning, out of character for the neighborhood and loss of trees.
Cong-Qiu Chu and Hon Bai	Adverse environmental impacts, devalue homes in the neighborhood, would like to see two homes maximum.

3.3 Oral testimony was received from:

Cong-Qiu Chu, Yefim Leibman, Rebecca Glass, Brian Lee, Martin Kral and Ellie Brandower.

4 SEPA Determination-

- 4.1 The optional DNS process for local project review, as specified in WAC 197-11-355, was used. A Notice of Application that stated the lead agency's intent to issue a DNS for this project was issued on May 4th, 2006 and a 14-day comment period followed ending May 18th, 2006. City staff determined that the proposal will not have a probable significant adverse impact on the environment and that an environmental impact statement is not required under RCW 43.21C.030 (2) (c). This decision was made after visits to the project site and review of the environmental checklist, and other information on file with the City. A notice of determination of nonsignificance was issued on May 18th, 2006.

7. Consistency –

5.1 Site Rezone:

The application has been evaluated and found to be consistent with the five criteria listed in Shoreline Municipal Code Section 20.30.320 (B).

- 5.2 A recommendation to approve the Rezone does not constitute approval for any development proposal. Applicable permits shall be obtained prior to construction. Permit applications shall show compliance with the 1998 King County Storm Water Design Manual and Title 20 of the Shoreline Municipal Code (SMC). Applicable sections of the SMC include but are not limited to the following: Dimensional and Density Standards 20.50.010, Tree Conservation 20.50.290, Surface and Stormwater Management 20.60.060, and Streets and Access 20.60.140 and any conditions of the Rezone.

II. CONCLUSIONS

SITE REZONE:

Rezoning is subject to criteria contained in the Development Code. The proposal must meet the decision criteria listed in Section 20.30.320(B) of the SMC. The criteria are listed below, with a brief discussion of how the request meets the criteria.

1. The rezone is consistent with the Comprehensive Plan.

The Comprehensive Plan land use map identifies the subject properties as *Medium Density Residential*. The site is currently underutilized—the parcel is developed with

one single family home (developed at a density of 2.8 dwelling units per acre)—this is not consistent with the density goals and policies of the Comprehensive Plan which plans for this site to accommodate 8 to 12 dwelling units per acre to support housing targets within the City. The proposed zone change will allow the parcels to be developed to the level anticipated in the Comprehensive Plan.

R-12 zoning is an appropriate designation for the site. Placing R-12 zoning on the site allows the City to add development conditions that achieve many goals and policies of the Comprehensive Plan including incorporating low impact development techniques, small building footprints to reduce overall building coverage, protection of trees and natural vegetation on-site including retaining 65% of significant trees, environmentally friendly building materials and less impact to the natural features of the parcel than if developed under the current zoning designation.

The proposed development also promotes design that minimizes stormwater runoff rate and volume by limiting the size of building footprints and total site coverage, maximizing the protection of permeable soils and natural vegetation, and encouraging use of permeable pavements and surfaces.

2. The rezone will not adversely affect the public health, safety or general welfare.

Staff concludes the proposed rezone and redevelopment of this site will positively affect the public health, safety and welfare of the surrounding neighborhood and community. The new construction will strive to protect the nature features and vegetation of the site. Unlike other recently added subdivisions in the immediate area, the applicant is proposing to place the new dwelling units around the natural features of the lot without disturbing most of the mature trees and vegetation. The latest in low impact development techniques are proposed for stormwater management, 65% of the significant trees on-site will be retained and required sidewalks will meander around very mature trees along Stone Avenue N. and not result in their removal.

3. The rezone is warranted in order to achieve consistency with the Comprehensive Plan.

The subject parcel is currently zoned R-8. Right now, the site is developed with one single-family house at a density of 2.8 dwelling units an acre which is underdeveloped under the current zoning category.

The Comprehensive Plan states that the Medium Density Residential Land Use designation is intended for areas where single family detached dwelling units might be redeveloped at slightly higher densities; and to areas currently zoned for medium density residential.

The applicant is proposing four low-impact single-family detached dwelling units which are fully supported by the goals and policies of the Comprehensive Plan. R-12 zoning would be an appropriate designation for the subject site, as it would reflect similar net densities as those uses near it.

4. The rezone will not be materially detrimental to uses or property in the immediate vicinity of the subject rezone.

At this time there appears to be minimal negative impacts to the properties in the immediate vicinity of the subject rezone.

The applicant is proposing low impact development techniques in addition to on-site retention. Examples of the features that could be used are rain gardens, small building footprints, restrictive use of impervious surfaces and other low impact measures.

The applicant is proposing to retain at least 65% of the significant trees on-site, 45% more trees than the code requires. The applicant is proposing to exceed all code requirements in terms of tree retention and protection by proposing to keep as many of the significant trees as possible and place structures in and around the natural features of the parcel. The trees left in place will continue acting as a natural screen between properties to the north, east, west and south.

5. The rezone has merit and value for the community.

By approving this specific redevelopment proposal, the aesthetics of the structures and site planning will be much more environmental friendly than if the site developed without the proposed rezone. Under the current zoning of R-8, the property owner could develop three single-family homes, cover much more of the site with impervious surfaces, and cut down most of the trees on-site without taking into account the neighbors' concerns. Staff believes by granting this rezone and conditions as presented to the Planning Commission, the City and the surrounding community will get a much better product that tries to fit into the natural aspects of the site rather than destroying it.

III. RECOMMENDATION

Based on the Findings, the Planning Commission recommends approval of application #201508; a rezone from R-12 to R-24.

City of Shoreline Planning Commission

Thelma Kuo Date: 6 July 2006
Chairperson

EXHIBIT B

LEGAL DESCRIPTION OF PROPERTY:

TRACT 1 OF KING COUNTY SHORT PLAT NO. 1075029, AS RECORDED
UNDER RECORDING NO. 7604290637, RECORDS OF KING COUNTY
AUDITOR

CONCOMITANT REZONE AGREEMENT AND
COVENANT RUNNING WITH THE LAND

Contract Zone No. RB-CZ-05-01

This Concomitant Rezone Agreement and Covenant (hereinafter "Covenant") dated _____, 2006, by and between the City of Shoreline, Washington, a municipal corporation (hereinafter "City"), and Scott M. Becker (hereinafter "Owners").

RECITALS

A. Owners are the owners of real property located in King County legally described as:

TRACT 1 OF KING COUNTY SHORT PLAT NO. 1075029, AS RECORDED UNDER RECORDING NO. 7604290637, RECORDS OF KING COUNTY AUDITOR, Parcel No. 7276100285 (Hereafter described as "Property").

B. Owner has applied to rezone the Property from its current zoning, to Residential 12 units per acre (R-12), consistent with the Comprehensive Plan adopted by the City pursuant to the Growth Management Act (RCW Ch.36.70A).

C. The City has conditionally approved the rezone application provided the Property is developed under conditions and limitations, which shall be considered as a qualification to the City's zoning designation.

NOW THEREFORE, the City and Owners agree as follows:

1. Title. Owners are the sole and exclusive owners of the Property described above.
2. Covenant. Owners covenant and agree, on behalf of themselves and their successors and assigns, that during the entire period that the Property is zoned R-CZ 6-01, the Property will be developed only in accordance with this Covenant and subject to the conditions provided herein. The Owners specifically agree that this Covenant touches, concerns, enhances, benefits and runs with the Property.

Concomitant Rezone Agreement - Contract Zone No. R-CZ-06-01.

3. Uses. The Owners or their successors may construct a residential development on the Property subject to the following conditions:

Condition #1- The scale and architecture of homes must exhibit characteristics of those presented at the Planning Commission such as small building footprints, lower building heights and homes that don't directly access Stone Ave N and are inwardly oriented.

Condition #2- Low impact development techniques must be used.

Condition #3- Building heights shall not exceed 25 feet.

Condition #4- At least 60% of significant trees shall be retained.

Condition #5- Trees acting as a natural screen on the north, west, east and south shall not be substantially modified from their current state.

Condition #6- Prior to development, an Arborist is retained by the developer to evaluate the northeast portion of the property and remove any hazardous trees present. Also, an Arborist shall visit the site to review tree removal during the course of development.

4. Binding Effect. This Covenant shall remain in full force and effect, and be binding upon the Owners and their successors and assigns until 1) amended, modified or terminated by an ordinance adopted by the Shoreline City Council, or 2) Owners of all interest in the property file a written declaration with the City that they wish the Property to revert to the R-8 land use designations existing immediately prior to passage of Ordinance No. 431 or such other default zoning as may have been adopted by the City Council for the Property subsequent to this agreement. Obligations contained herein shall be enforceable against all such successors and assigns.

5. Filing. A copy of this covenant will be filed for record with the King County Records and Elections Division.

6. Remedies. Violations of this Covenant shall be enforced by the City according to enforcement procedures applicable to zoning code violations.

7. Attorney Fees. In the event that legal action is commenced to enforce or interpret any revision of this Covenant, including any appeal thereof, the substantially prevailing party shall be entitled to its costs including reasonable attorney's fees.

IN WITNESS WHEREOF, the parties have executed this Covenant as of the date first above written.

OWNER(s)

Scott M. Becker

Robert Olander, City Manager

CITY OF SHORELINE

APPROVED AS TO FORM:

Ian Sievers, City Attorney

STATE OF WASHINGTON)

) ss.

COUNTY OF KING)

I certify that I know or have satisfactory evidence
that _____, representing

_____ appeared before me, and
said person acknowledged that he signed this instrument and acknowledged
it to be the free and voluntary act of such party for the uses and
purposes mentioned in this instrument.

DATED: _____

By: _____
Notary Public in and for the State of Washington
residing at _____.
My commission expires _____.

Commission Meeting Date: June 15th, 2006

Agenda Item:

PLANNING COMMISSION AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE: Type C Action: Rezone Application for one parcel generally located at 18016 Stone Avenue N from R-8 (Residential 8 dwelling units/acre) to R-12 (Residential 12 dwelling units/acre).

DEPARTMENT: Planning and Development Services

PRESENTED BY: Steven Szafran, Planner II

I. PROPOSAL

The applicant, Scott Becker, proposes to modify the existing zoning category for a 15,200 square foot parcel located at 18016 Stone Avenue N. This application before the Planning Commission is a request to change the zoning designation from R-8 (Residential - 8 dwelling units per acre) to R-12 (Residential 12 dwelling units per acre). In addition, the applicant is proposing to construct four low-impact single-family homes at a density of 11.5 units per acre. A site plan showing the site configuration of the proposal is included as **Attachment 1**. A vicinity map showing existing zoning for the project site and adjacent properties is located in **Attachment 2**. The parcel has a Comprehensive Plan Land Use designation of Medium Density Residential, and both the existing and proposed zoning are consistent with this designation (**Attachment 3** illustrates the comprehensive plan land use designations of the surrounding vicinity).

Under the Appearance of Fairness Doctrine, local land use decisions that are not of area wide significance shall be processed as quasi-judicial actions. Because this is a Site Specific Zone Change it shall be processed per RCW 42.36.010 as a Type C quasi-judicial action.

With the current designation of Medium Density Residential and a current zoning of R-8 there is the potential to build 3 single-family residences on the subject site subject to the Shoreline Development Code Standards. There is currently one single-family home on-site that will be demolished before construction would begin for the new proposed homes. The proposed rezone would allow the construction of up to 4 dwelling units and the applicant is proposing 4 low-impact single-family homes, subject to the requirements of the Shoreline Municipal Code (SMC) section 20.30.

This report summarizes the issues associated with this project and discusses whether the proposal meets the criteria for rezone outlined in the Shoreline Municipal Code and the goals of the Comprehensive Plan. Type C Actions are reviewed by the Planning Commission, where an Open Record Public Hearing is held and a recommendation for

approval or denial is developed. This recommendation is then forwarded to City Council, which is the final decision making authority for Type C Actions.

II. FINDINGS

1. SITE

The subject site is generally located on the east side of Stone Avenue N between N 180th Street and N 183rd Street. The parcel is developed with one single-family residence. The parcel measures 15,200 square feet in area (approximately .35 acres). The site is gently sloping down from east to west at an average grade of 2 percent. There are many significant trees on site. A "significant tree" is defined in the Shoreline Municipal Code Title 20 as a healthy, windfirm, and nonhazardous tree eight inches or greater in diameter at breast height if it is a conifer and 12 inches or greater at breast height if deciduous. Per the Shoreline Development Code, 20% of Significant Trees must be maintained. **Attachment 1** includes a tree plan that shows the type and location of all significant trees on-site and which trees will be removed.

The existing home on-site is on the Historic Property Inventory List (**Attachment 4**). The home was built in 1923 and is significant because of its association with suburban development of Shoreline in the 1920's. Staff has contacted Preservation Planner Charlie Sundberg at the King County Historic Preservation Department for further comment on the proposed development of the site. Mr. Sundberg states that this property seems to be of marginal interest; little is known about it and it doesn't appear to be eligible for landmark designation. The house could be moved but its masonry fireplace, its only redeeming feature, would be difficult to reassemble.

2. NEIGHBORHOOD

The project site is located in the Meridian Park Neighborhood. Access to the property is gained from Stone Avenue North, a street that is classified as a Local Street. Stone Avenue N connects to N 185th Street to the north but does not connect through to N 175th Street to the south. There is a 15 foot access easement on the north side of the subject parcel for the property directly to the east to gain access to their home. No change is proposed to the easement. As indicated previously the site is zoned R-8 and has a land use designation of Medium Density Residential. The current zoning of the parcels immediately adjacent to the subject properties on the north, south and east is R-8, and the uses on these sites include low to medium density residential (these parcels also have a Medium Density Residential Comprehensive Plan Designation which allow up to an R-12 zoning). The current zoning of the parcels to the west, across Stone Avenue North, are R-12, and the uses on these sites are a mix of single-family, duplexes and triplexes (these parcels are a mix of Community Business and Mixed Use Comprehensive Plan Designations which allow high density residential, commercial and industrial land uses). The zoning classifications and Comprehensive Plan Land Use designations for the project sites and immediate vicinity are illustrated in **Attachments 2 and 3**.

3. PRIOR APPLICATIONS

There have been a number of land use actions in the recent past that have been changing the density and character of this particular neighborhood, specifically between N 180th to the south, N 185th to the north, Aurora Avenue to the west and Ashworth Avenue N to the east. Examples of development include Meridian Park Cottages (15.7 du/ac), Elena Lane Subdivision (12.8 du/ac), the new Gateway Center and the Interurban Trail.

In December of 1999, the Planning Commission recommended denial of a zone change of the Elena Lane development (Subdivision directly north of the subject parcel) from R-6 to R-12 for a 16-lot subdivision. The recommendation was appealed to the City Council. In February 2000, the City Council recommended approval of a rezone to R-8 for the Elena Lane subdivision. The R-8 zoning allowed 11 homes to be built in the subdivision. *Note: At that time, the Mayor made a comment that smaller, less tall or attached units would appear less dense and would justify an R-12 zoning.*

In August of 2000, the City Council approved an application for rezone (Ordinance 246) at 18042 Stone Avenue N to change the zoning from R-6 to R-8. The staff and the Planning Commission recommended denial of R-12 and approval to the R-8 zoning designation. The issue that was cited for denial was that the density and buildings were out of scale for the neighborhood. The application was approved with an R-8 zoning as well as a two-lot short plat.

4. TIMING AND AUTHORITY

The application process for this project began on February 3rd, 2006, when a pre-application meeting was held with the applicant and city staff. The applicant then held the requisite neighborhood meeting on March 3rd, 2006. The formal application was then submitted to the City on April 4th, 2006. The application was determined complete on April 7th, 2006. A Public Notice of Application was posted at the site, advertisements were placed in the Seattle Times and Shoreline Enterprise, and notices were mailed to property owners within 500 feet of the site on April 13th, 2006. The Notice of Public Hearing and SEPA Determination was posted at the site, advertisements were placed in the Seattle Times and Shoreline Enterprise, and notices were mailed to property owners within 500 feet of the site on May 4th, 2006.

No comments were received at the neighborhood meeting but staff has received comment letters in regards to the proposed project during the required comment period. The comments are listed in the Table below:

Name	Comment	Staff Response
Laura Brent, AICP	Removal of trees may affect trees on adjacent lot, loss of screening, access easement, construction noise, drainage from increased impervious	Comments will be forwarded to appropriate individuals for response concerning tree removal and drainage. These are issues that are addressed

	surfaces.	during the building permit stage. Hours of construction may be conditioned during the building permit process
Yefim Leibman and Ella Goltzman	Rather see two homes instead of four, increased traffic, water draining to adjacent properties, trees falling onto adjacent property, new development adjacent to subject parcel will add to drainage concerns.	Under current zoning, owner can build three homes by right, there will be more traffic by not a substantial increase, trees will be inspected and drainage will be reviewed by Drainage Engineer.
Martin Kral	Historic structure on the site, R-12 would be spot zoning, out of character for the neighborhood and loss of trees.	The King County Preservation Planner says the structure is of marginal interest and not eligible for landmark designation, the Medium Density Residential Comp Plan designation allows an R-12 zoning, four single-family homes in a single-family neighborhood are not out of character and the applicant is proposing to retain 65% of the trees on-site, 42 % more than the Code requires.
Cong-Qiu Chu and Hon Bai	Adverse environmental impacts, devalue homes in the neighborhood, would like to see two homes maximum.	Environmental impacts will be better mitigated through this proposal and the owner has the right to build three homes under the current zoning.

Rezone applications shall be evaluated by the five criteria outlined in Section 20.30.320 (B) of The Shoreline Municipal Code (SMC). The City Council may approve an application for rezone of property if the five decision criteria are met.

5. CRITERIA

The following discussion shows how the proposal meets/ or does not meet the decision criteria listed in Section 20.30.320(B) of the SMC. The reader will find that each of the criteria is integrated, and similar themes and concepts will run throughout the discussion of each.

Criteria 1: The rezone is consistent with the Comprehensive Plan.

The Comprehensive Plan land use map identifies the subject properties as *Medium Density Residential*. The site is currently underutilized—the parcel is developed with one single family home (developed at a density of 2.8 dwelling units per acre)—this is not consistent with the density goals and policies of the Comprehensive Plan which plans for this site to accommodate 8 to 12 dwelling units per acre to support housing targets within the City. The proposed zone change will allow the parcels to be developed to the level anticipated in the Comprehensive Plan.

If R-12 becomes the adopted zoning for the site there will be the ability for the applicant to place a maximum of 4 homes on the subject parcel.

The following table summarizes the bulk requirements for the current zoning and the potential R-12 zoning. *By placing four homes on one lot in the R-12 zone, R-6 standards are applied concerning the building coverage and impervious surfaces.* Development will be less intense than three homes on three separate lots which the R-8 zoning allows.

Standard	R8 Development	R12 Development
Front Yard Setback	10'	10'
Side Yard Setback	5'	5'
Rear Yard Setback	5'	5'
Building Coverage	45%	35% *
Max Impervious Surface	65%	50% *

** Note: Maximum building coverage and impervious surface shall be the same as R-6 standards when three or more single-family homes are located on one parcel zoned R-12.*

The Shoreline Comprehensive Plan has established a growth target of 1,600-2,400 new housing units during the next 20-year planning period. The Comprehensive Plan identified different areas of the City where growth will likely occur and can be accommodated. A Comprehensive Plan Land Use map was adopted, and in some areas of the City allowed densities and intensity of uses to be increased. In many instances this change occurred in areas that had previously developed at a much lower intensity (as is the case of the subject parcel) and more dense development was anticipated in the future when the underutilized parcels were redeveloped.

R-12 zoning is an appropriate designation for the site in order to achieve many goals and policies of the Comprehensive Plan, including:

Goal LU I: Ensure that the land use pattern of the City encourages needed, diverse, and creative development, protects existing uses, safeguards the environment, reduces sprawl, promotes efficient use of land, encourages alternative modes of transportation and helps maintain Shoreline's sense of community.

Goal LU IV: Encourage attractive, stable, quality residential and commercial neighborhoods that provide a variety of housing, shopping, employment and services.

The neighborhood will benefit by this development by having new homes that are architecturally different from houses in the area while retaining trees and natural vegetation. The site is currently underdeveloped and this project will match densities expected in the Comprehensive Plan making more efficient use of the land. The site is within walking distance to schools, parks, shopping and transit.

LU 8: Ensure that land is designated to accommodate a variety of types and styles of housing units adequate to meet the future needs of Shoreline citizens.

The development proposed are smaller single-family homes for residents that don't need a large home and want something other than apartment living.

*LU 96: Encourage the use of "green" building methods and materials that may reduce impacts on the built and natural environment, such as to:
Reduce stormwater impacts to protect local watersheds and salmon,
Conserve energy and water,
Prevent air and water pollution and conserve natural resources,
Improve indoor air quality, and
Enhance building durability.*

LU 145: Promote development design which minimizes runoff rate and volume by limiting the size of the building footprint and total site coverage, maximizing the protection of permeable soils and native vegetation, and encouraging use of permeable pavements and surfaces.

This proposal meets LU 96 and LU 145 by incorporating low impact development techniques. Building footprints will be smaller than the typical new single-family home, 65% of significant trees will be retained, extensive use of porous surfaces,

environmental friendly building materials and less impact on the environment than developing under the current zoning designation.

Goal H I: Provide sufficient development capacity to accommodate the 20 year growth forecast in an appropriate mix of housing types by promoting the creative and innovative use of land designated for residential and commercial use.

Under the Medium Density Residential Land Use designation, the R-12 zoning category will allow four homes to be built instead of three allowed under the current R-8 zoning designation. The proposed homes have small building footprints and square footage to promote alternative housing types for existing and future residents.

H 6: Encourage infill development on vacant or underutilized sites to be compatible with existing housing types.

The site is currently underutilized at a density of 2.8 du/ac. The site will be redeveloped with four low-impact single-family homes at a density of 11.5 du/ac. The single-family homes will be compatible with existing homes in the area by reduced building mass and scale, low building height and natural screening.

CD 3: Encourage development that is visually stimulating and thoughtful, and that convey quality architecture, workmanship and durability in building materials.

Mr. Becker's proposed designs are similar to the Reserve Cottages which won an American Institute of Architect's Home of the Month award.

CD 23: Where clearing and grading is unnecessary, preserve significant trees and mature vegetation.

Mr. Becker has made an effort to site the building footprints and frontage improvements around significant trees and other vegetation.

Criteria 2: The rezone will not adversely affect the public health, safety or general welfare.

Staff concludes the proposed rezone and redevelopment of this site will positively affect the public health, safety and welfare of the surrounding neighborhood and community. The new construction will promote innovative architecture and building techniques, strives to protect the nature features and vegetation of the site and will be a positive addition to the neighborhood. Unlike other recently added subdivisions in the immediate area, the applicant proposing to place the new dwelling units around the natural features of the lot without disturbing most of the mature trees and vegetation. The latest in low impact development techniques are proposed for stormwater management, 65% of the

significant trees on-site will be retained and required sidewalks will meander around very mature trees along Stone Avenue N. and not result in their removal.

Criteria 3: *The rezone is warranted in order to achieve consistency with the Comprehensive Plan.*

The subject parcel is currently zoned R-8. Right now, the site is developed with one single-family house at a density of 2.8 dwelling units an acre which is underdeveloped under the current zoning category. The application to change the zoning of the parcel to R-12 was made in order to develop the sites in similar fashion to those that have been previously developed in the immediate vicinity of the project. The sites' Comprehensive Plan land use designation is *Medium Density Residential*. Consistent zoning designations for this land use include: R-8 and R-12.

The current zoning in the vicinity of the project includes R-6, R-8, R-12, R-24, Office and Regional Business zoning. The uses in the area include single-family houses, duplexes, triplexes, multi-family apartment buildings, a bank, a mini-storage development and retail uses. The subject property will take access from Stone Avenue N, a local street. The Comprehensive Plan states that the Medium Density Residential Land Use designation is intended for areas where single family detached dwelling units might be redeveloped at slightly higher densities; and to areas currently zoned for medium density residential. Single family dwelling units, duplexes, triplexes, zero lot line homes, and townhouses will be permitted. Apartments will be allowed under certain conditions.

The applicant is proposing four low-impact single-family detached dwelling units which are fully supported by the goals and policies of the Comprehensive Plan. R-12 zoning would be an appropriate designation for the subject site, as it would reflect a similar, if slightly less, level of intensity as those uses near it.

Criteria 4: *The rezone will not be materially detrimental to uses or property in the immediate vicinity of the subject rezone.*

At this time there appears to be minimal negative impacts to the properties in the immediate vicinity of the subject rezone. The proposed rezone would be less dense than developments that have been recently built such as Meridian Park Cottages (15.7 du/ac) and the Elena Lane Subdivision (12.8 du/ac net density) to the north. Concerns have been raised regarding this project's impact on infrastructure such as water, sewer, stormwater, and traffic/circulation as well as the loss of existing mature vegetation. The following brief summary demonstrates how the project addresses each of these.

Water & Sewer

Conditional statements from the Ronald Wastewater Management District and Seattle Water Department indicate that adequate capacity exists for development at R-12 zoning levels.

Stormwater

The applicant is proposing low impact development techniques in addition to on-site retention. Examples of the features that could be used are rain gardens, small building footprints, restrictive use of impervious surfaces and other low impact measures.

Traffic/Circulation

The applicant is proposing to build four single-family homes on the subject parcel. The P.M. peak hour vehicular trips will be 4.04 (1.01 X 4). Since the P.M. peak hour trips are not greater than 20, a traffic study was not required (SMC 20.60.140(A)). At the time of the development proposal submittal (building permit application), traffic and pedestrian requirements/mitigation specific to the details of the project will be required.

During site development sidewalks will be required along the western boundary of the project area. Sidewalks are developed in pieces in this general area (See **Attachment 5**). As parcels redevelop new sidewalks will be required. It appears that there is adequate vehicular and pedestrian access to the site.

Tree Removal

The SMC requires retention of at least 20% of the significant trees (SMC 20.50.350(B) (1)) on-site and the site design for the development proposal must also meet the requirements of 20.50.350(D) (1-9) which stipulates that trees be protected within vegetated islands and stands rather than as individual, isolated trees. There are a number of significant trees located on the subject site, illustrated on the map in **Attachment 1**.

The applicant is proposing to retain at least 65% of the significant trees on-site, 42% more trees than the code requires. The applicant is exceeding all code requirements in terms of tree retention and protection by proposing to keep as many of the significant trees as possible and place structures in and around the natural features of the parcel. The trees left in place will continue acting as a natural screen between properties to the north, east, west and south.

Criteria 5: The rezone has merit and value for the community.

The redevelopment of the site will contribute to an increase in housing units and help the City to achieve its housing targets. By approving this specific redevelopment proposal, the aesthetics of the structures and site planning will be much more environmental friendly than if the site developed without the proposed rezone. Under the current zoning of R-8, the property owner could develop three single-family homes, cover much more of the site with impervious surfaces, and cut down most of the trees on-site without taking into account the neighbors' objections. Staff believes by granting this rezone and conditions as presented to the Planning Commission, the City and the surrounding community will get a much better product that tries to fit into the natural aspects of the site rather than destroying it. In all likelihood the new development will increase the amount of impervious surface area on the site as compared to the current

condition; however this water will be treated and released at rate no greater than what historically flowed from the site in a pre-developed condition.

Further, a policy of the plan is to “preserve environmental quality by taking into account the land’s suitability for development and directing intense development away from natural hazards and important natural resources” (Comprehensive Plan policy LU1). The site does not have any identified critical areas, it is generally flat, and it has good access to public facilities. It is reasonable to encourage, within the provisions of the Development Code, redevelopment and intensification of uses on of parcels such as these.

Therefore it has been shown that these improvements will add benefit to the community.

III. CONCLUSIONS

1. **Consistency-** The proposed reclassification for the subject properties is consistent with the Washington State Growth Management Act, the City of Shoreline Comprehensive Plan, and the City of Shoreline Development Code.
2. **Compatibility-** The proposed zoning is consistent with existing and future land use patterns identified in the Comprehensive Plan.
3. **Housing / Employment Targets-** The current residential density of 2.8 dwelling units per acre indicates the site is underutilized per the density guidelines listed in the Comprehensive Plan for the *Medium Density Residential* land use designation. The project assists the City of Shoreline in meeting housing targets as established by King County to meet requirements of the Growth Management Act.
4. **Environmental Review-** It has been determined that per WAC 197.11.600 (2) the SEPA obligations for analyzing impacts of the proposed rezone are fulfilled by previous environmental documents on file with the City. The FEIS prepared for the City of Shoreline’s Comprehensive Plan, dated November 9, 1998, and is incorporated by reference to satisfy the procedural requirements of SEPA.
5. **Infrastructure Availability-** There appears to be adequate infrastructure improvements available in the project vicinity. This includes adequate storm, water, and sewer capacity for the future development. The development of this site will also require that the infrastructure accommodate existing and anticipated stormwater improvements be installed as part of the development proposal.

IV. PLANNING COMMISSION ROLE AND OPTIONS

As this is a Type C action, the Planning Commission is required to conduct a Public Hearing on the proposal. The Commission should consider the application and any public testimony and develop a recommendation for rezone approval or denial. The City Council will then consider this recommendation prior to their final adoption of the application.

Planning Commission has the following options for the application:

1. Recommend approval to rezone with conditions the site at 18016 Stone Ave N (parcel number 7276100285) from Residential 8 units per acre (R-8) to Residential 12 units per acre (R-12) based on the findings presented in this staff report with added conditions.
2. Recommend approval to rezone the site at 18016 Stone Avenue N from R-8 to R-12 based on findings presented in this staff report and additional findings by the planning Commission with modified conditions.
3. Recommend denial of the rezone application. The Residential 8 units per acre (R-8) zoning remains based on specific findings made by the Planning Commission.

V. PRELIMINARY STAFF RECOMMENDATION

Staff recommends that the Planning Commission move to recommend to the City Council that R-12 zoning be adopted for the property generally located at 18016 Stone Avenue N (parcel number 7276100285) with the following conditions. Enter into findings based on the information presented in this staff report that this proposal meets the decision criteria for the reclassification of property as outlined in the Shoreline Municipal Code Section 20.30.320.

Condition #1- The scale and architecture of homes must exhibit characteristics of those presented at the Planning Commission such as small building footprints, lower building heights and less intrusive homes to neighboring properties.

Condition #2- Low impact development techniques must be used.

Condition #3- Building heights shall not exceed 25 feet.

Condition #4- At least 60% of significant trees shall be retained.

Condition #5- Trees acting as a natural screen on the north, west, east and south shall not be substantially modified from their current state. See **Attachment 1** for details.

Condition #6- Prior to development, an Arborist is retained by the developer to evaluate the northeast portion of the property and remove any hazardous trees present. Also, an Arborist shall visit the site to review tree removal during the course of development.

ATTACHMENTS

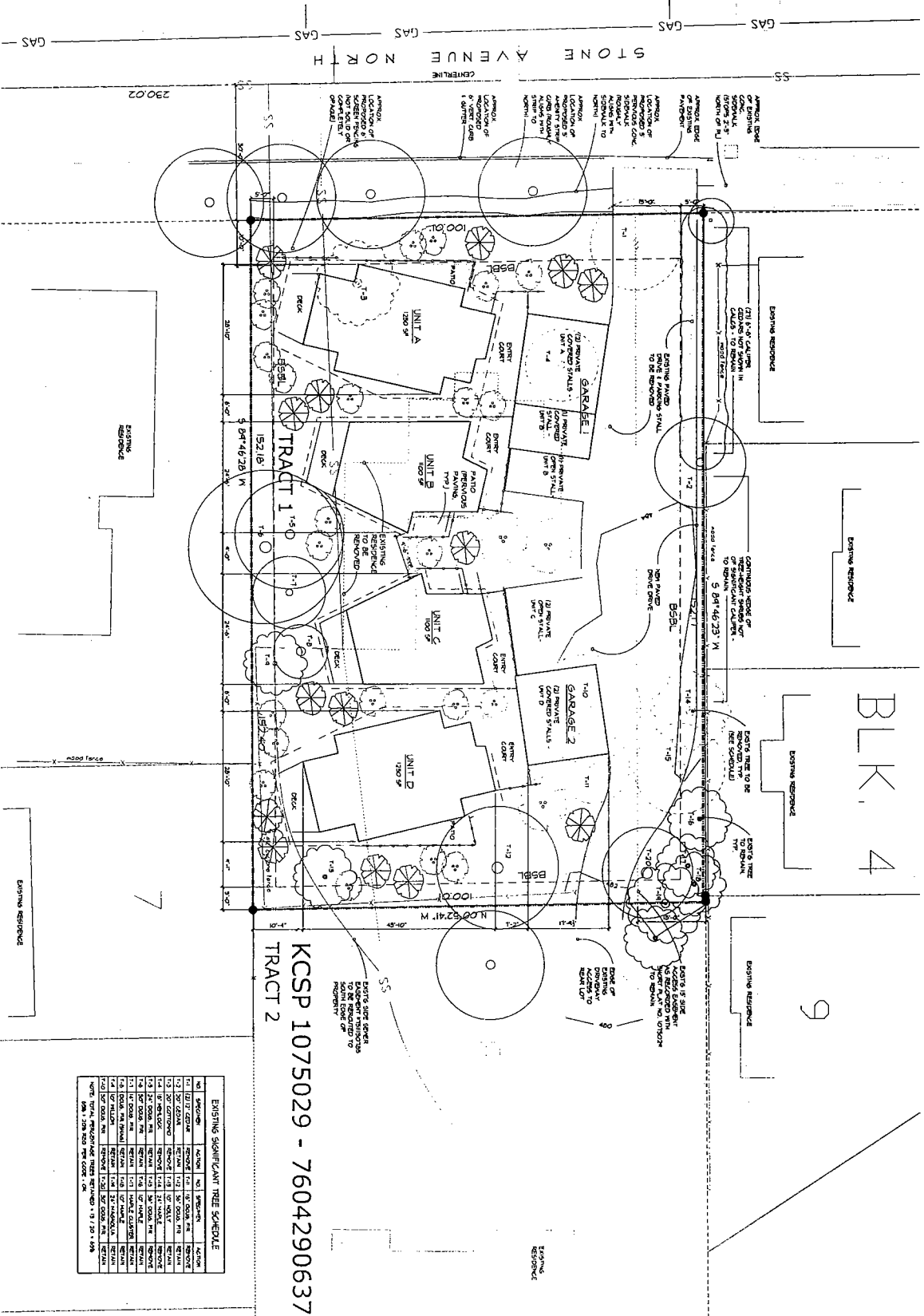
Attachment 1: Site Plan and Tree Inventory

Attachment 2: Vicinity Map with Zoning Designations

Attachment 3: Vicinity Map with Comprehensive Plan Designations

Attachment 4: Historic Property Inventory Form

Attachment 5: Vicinity Map with Sidewalks, Schools and Parks

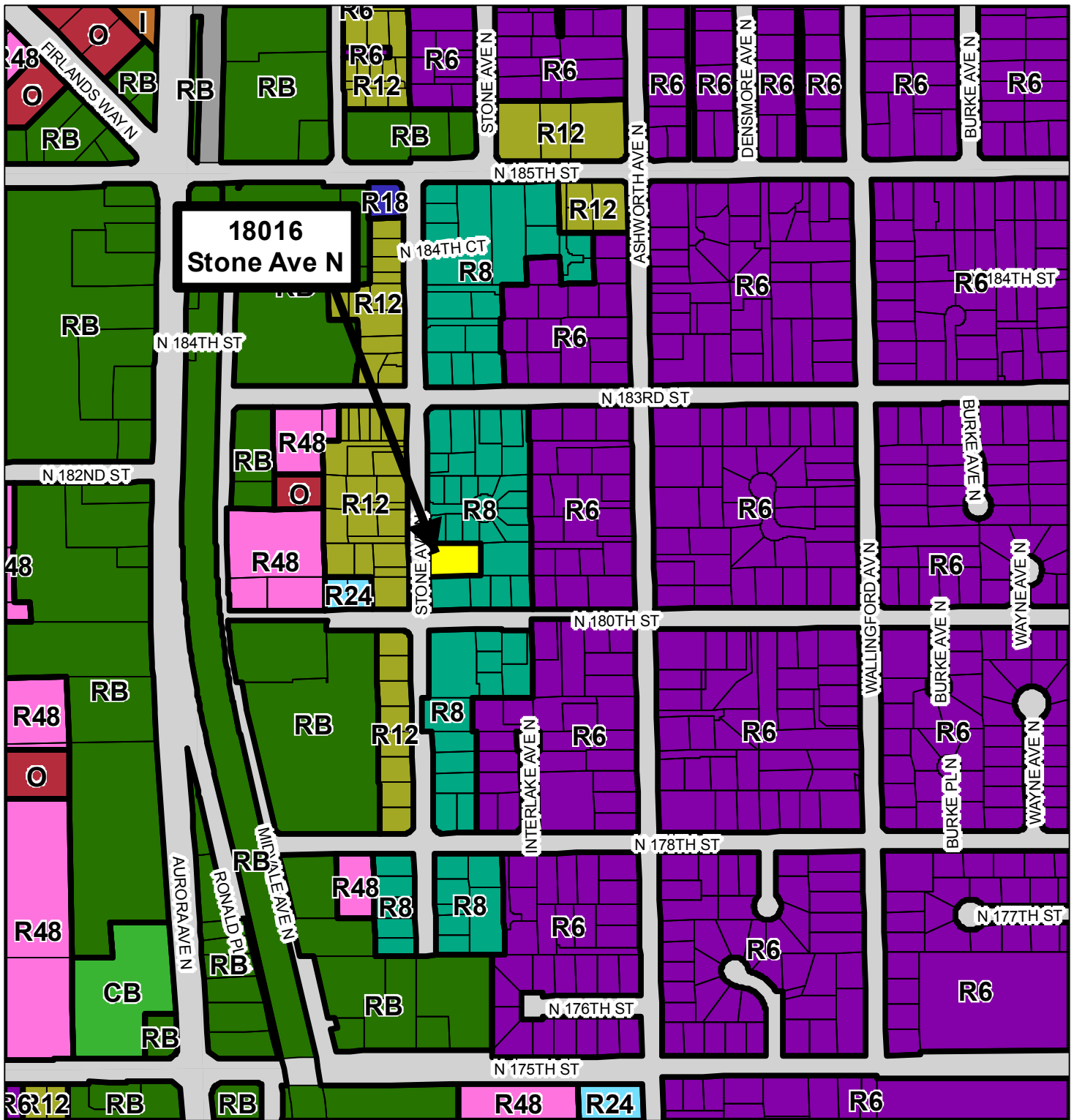


NO	LOCATION	NO	DESCRIPTION	NO	LOCATION
1	121111 DEWITT	SHRUB	15	10 DOCK RD	SHRUB
2	121222 DEWITT	SHRUB	16	10 DOCK RD	SHRUB
3	121333 DEWITT	SHRUB	17	10 DOCK RD	SHRUB
4	121444 DEWITT	SHRUB	18	10 DOCK RD	SHRUB
5	121555 DEWITT	SHRUB	19	10 DOCK RD	SHRUB
6	121666 DEWITT	SHRUB	20	10 DOCK RD	SHRUB
7	121777 DEWITT	SHRUB	21	10 DOCK RD	SHRUB
8	121888 DEWITT	SHRUB	22	10 DOCK RD	SHRUB
9	121999 DEWITT	SHRUB	23	10 DOCK RD	SHRUB
10	122000 DEWITT	SHRUB	24	10 DOCK RD	SHRUB
11	122111 DEWITT	SHRUB	25	10 DOCK RD	SHRUB
12	122222 DEWITT	SHRUB	26	10 DOCK RD	SHRUB
13	122333 DEWITT	SHRUB	27	10 DOCK RD	SHRUB
14	122444 DEWITT	SHRUB	28	10 DOCK RD	SHRUB
15	122555 DEWITT	SHRUB	29	10 DOCK RD	SHRUB
16	122666 DEWITT	SHRUB	30	10 DOCK RD	SHRUB
17	122777 DEWITT	SHRUB	31	10 DOCK RD	SHRUB
18	122888 DEWITT	SHRUB	32	10 DOCK RD	SHRUB
19	122999 DEWITT	SHRUB	33	10 DOCK RD	SHRUB
20	123000 DEWITT	SHRUB	34	10 DOCK RD	SHRUB
21	123111 DEWITT	SHRUB	35	10 DOCK RD	SHRUB
22	123222 DEWITT	SHRUB	36	10 DOCK RD	SHRUB
23	123333 DEWITT	SHRUB	37	10 DOCK RD	SHRUB
24	123444 DEWITT	SHRUB	38	10 DOCK RD	SHRUB
25	123555 DEWITT	SHRUB	39	10 DOCK RD	SHRUB
26	123666 DEWITT	SHRUB	40	10 DOCK RD	SHRUB
27	123777 DEWITT	SHRUB	41	10 DOCK RD	SHRUB
28	123888 DEWITT	SHRUB	42	10 DOCK RD	SHRUB
29	123999 DEWITT	SHRUB	43	10 DOCK RD	SHRUB
30	124000 DEWITT	SHRUB	44	10 DOCK RD	SHRUB
31	124111 DEWITT	SHRUB	45	10 DOCK RD	SHRUB
32	124222 DEWITT	SHRUB	46	10 DOCK RD	SHRUB
33	124333 DEWITT	SHRUB	47	10 DOCK RD	SHRUB
34	124444 DEWITT	SHRUB	48	10 DOCK RD	SHRUB
35	124555 DEWITT	SHRUB	49	10 DOCK RD	SHRUB
36	124666 DEWITT	SHRUB	50	10 DOCK RD	SHRUB
37	124777 DEWITT	SHRUB	51	10 DOCK RD	SHRUB
38	124888 DEWITT	SHRUB	52	10 DOCK RD	SHRUB
39	124999 DEWITT	SHRUB	53	10 DOCK RD	SHRUB
40	125000 DEWITT	SHRUB	54	10 DOCK RD	SHRUB
41	125111 DEWITT	SHRUB	55	10 DOCK RD	SHRUB
42	125222 DEWITT	SHRUB	56	10 DOCK RD	SHRUB
43	125333 DEWITT	SHRUB	57	10 DOCK RD	SHRUB
44	125444 DEWITT	SHRUB	58	10 DOCK RD	SHRUB
45	125555 DEWITT	SHRUB	59	10 DOCK RD	SHRUB
46	125666 DEWITT	SHRUB	60	10 DOCK RD	SHRUB
47	125777 DEWITT	SHRUB	61	10 DOCK RD	SHRUB
48	125888 DEWITT	SHRUB	62	10 DOCK RD	SHRUB
49	125999 DEWITT	SHRUB	63	10 DOCK RD	SHRUB
50	126000 DEWITT	SHRUB	64	10 DOCK RD	SHRUB
51	126111 DEWITT	SHRUB	65	10 DOCK RD	SHRUB
52	126222 DEWITT	SHRUB	66	10 DOCK RD	SHRUB
53	126333 DEWITT	SHRUB	67	10 DOCK RD	SHRUB
54	126444 DEWITT	SHRUB	68	10 DOCK RD	SHRUB
55	126555 DEWITT	SHRUB	69	10 DOCK RD	SHRUB
56	126666 DEWITT	SHRUB	70	10 DOCK RD	SHRUB
57	126777 DEWITT	SHRUB	71	10 DOCK RD	SHRUB
58	126888 DEWITT	SHRUB	72	10 DOCK RD	SHRUB
59	126999 DEWITT	SHRUB	73	10 DOCK RD	SHRUB
60	127000 DEWITT	SHRUB	74	10 DOCK RD	SHRUB

NOTE: TOTAL SIGNIFICANT TREES REMOVED = 15 / 20 = 60%

DATE: 2/28/2006 10:00 AM

KCSP 1075029 - 7604290637
TRACT 2



SHORELINE

Geographic Information System
City of Shoreline Zoning

Representation of Official
Zoning Map Adopted By
City Ordinance No. 292.

Shows amendments through
June 21, 2005.

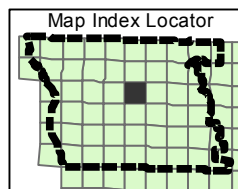
Created on April 18, 2006

Legend

- CB - Community Business
- CZ - Contract Zone
- I - Industrial
- NB - Neighborhood Business
- NCBD - North City Business District
- O - Office
- R12 - Residential 12 units/Acre
- R18 - Residential 18 units/Acre
- R24 - Residential 24 units/Acre
- R4 - Residential 4 units/Acre
- R48 - Residential 48 units/Acre
- R6 - Residential 6 units/Acre
- R8 - Residential 8 units/Acre
- RB - Regional Business
- RB-CZ - Regional Business/Contract Zone

- Parcel Line
- Zone District Boundary
- City Boundary
- Unclassified Right of Way

0 125 250 500 Feet





No Warranties of any sort, including
accuracy, fitness, or merchantability
accompany this product.

Shows amendments through
June 21, 2005.

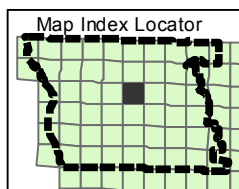
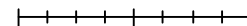
Legend

- Low Density Residential
- Medium Density Residential
- High Density Residential
- Mixed Use
- Community Business
- Regional Business
- Public Facilities
- Single Family Institution
- Special Study Area
- Ballinger Special Study Area
- Briarcrest Special Study Area
- North City Business District
- Paramount Special Study Area
- Private Open Space
- Public Open Space

- Comprehensive Plan Land Use Boundary
 Unclassified Right of Way
 Parcel Line



0 125 250 500 Feet



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Created on April 18, 2006

7.ii - ATTACHMENT 4

HISTORIC PROPERTY INVENTORY FORM

Field Site No. 1176 OAHF No.

Site Name Historic Common Lichtfield House

Field Recorder A. Berlow / C. Copass

Owner's Name Judith A. Chandler

Address 18016 Stone Ave N

City/State/Zip Code Shoreline, WA 98133

Status Survey/Inventory

PHOTOGRAPHY

Photography Neg. No. 05:33-34

(Roll No. & Frame No.)

View of

Date 6/94

Local Designation

Classification [] District [] Site [] Building [] Structure [] Object building

District Status [] NR [] SR [] LR [] INV

Contributing [] Non-Contributing []

District/Thematic Nomination Name

DESCRIPTION SECTION

Materials & Features / Structural Types

Building Type residential

Plan irregular

Structural System wood frame

No. of Stories 1

Roof Type gable

Gable [] Hip []
Flat [] Monitor [] Pyramidal []
Shed [] Gambrel [] Other (specify) []

Cladding (Exterior Wall Surface) wood shingle

[] Log [] Horizontal Wood Siding [] Rustic Drop [] Clapboard [] Wood Shingle [] Board and Batten [] Vertical Board [] Asbestos/Asphalt [] Brick [] Stone [] Stucco [] Terra Cotta [] Concrete/Concrete Block [] Vinyl/Aluminum Siding [] Metal (specify) [] Other (specify) []

Roof Material composition

Wood Shingle [] Wood Shake [] Slate [] Tar/Built-up [] Tile [] Metal (specify) [] Other (specify) [] Not visible []

Foundation [] Log [] Concrete [] Post & Pier [] Block [] Stone [] Brick [] Poured [] Not Visible [] Other (specify) []

Integrity (Include detailed description in Description of Physical Appearance)

Changes to plan []
Changes to windows []
Changes to original cladding []
Changes to interior []
Other (specify) []

Slight [] Moderate [] Extensive []
Intact []

State of Washington, Department of Community Development
Office of Archaeology and Historic Preservation
111 21st Avenue SW, P.O. Box 4843
Olympia, WA 98504-8343 (360) 753-4011

[Field Sur# 33]

LOCATION SECTION

Address 18016 Stone Ave N

City/Town/County/Zip Code Shoreline

Twp. / Range / Section 26-04-07

Tax No./Parcel No. 7276100285

Quadrangle or map name

UTM References Zone Easting Northing

Plat / Block / Lot Richmond Acres

Supplemental Map(s)



High Styles/Forms (check one or more of the following)

Greek Revival [] Gothic Revival [] Italianate [] Second Empire [] Romanesque Revival [] Stick Style [] Queen Anne [] Shingle Style [] Colonial Revival [] Beaux Arts / Classical [] Chicago / Commercial Style [] American Foursquare [] Mission Revival [] Vernacular Craftsman [] Spanish Colonial Revival / Mediterranean [] Tudor Revival [] Craftsman/Arts & Crafts [] Bungalow [] Prairie Style [] Art Deco/Art Moderne [] Rustic Style [] International Style [] Northwest Style [] Commercial Vernacular [] Residential Vernacular (see below) [] Other (specify) []

Vernacular House Types

[] Gable Front [] Gable front and wing [] Side Gable [] Cross Gable [] Pyramidal/Hipped [] Other (specify) []

NARRATIVE SECTION

Study Unit Themes (check one or more of the following)

- ☐ Agriculture
- ☒ Architecture/Landscape Architecture
- ☐ Arts
- ☐ Commerce
- ☐ Communications
- ☐ Community Planning/Development

Architecture

- ☐ Conservation
- ☐ Education
- ☐ Entertainment/Recreation
- ☐ Ethnic Heritage (specify) _____
- ☐ Health/Medicine
- ☐ Manufacturing/Industry
- ☐ Military

File No. 1176

- ☐ Politics/Government/Law
- ☐ Religion
- ☐ Science & Engineering
- ☐ Social Movements/Organizations
- ☐ Transportation
- ☐ Other (specify) _____
- ☒ Study Unit Sub-Theme(s) (specify)
Residential

Statement of Significance

Date of Construction 1923

Architect / Engineer / Builder

☐ In the opinion of the surveyor, this property appears to meet the criteria of the National Register of Historic Places.

☐ In the opinion of the surveyor, this property is located in a potential historic district (National and/or local).

This house, located in the Richmond Acres plat, is significant for its association with the suburban development of the Shoreline district in the 1920s, as growing private automobile ownership and road improvement projects opened the area for suburban development. This house, on a wooded lot, typifies the semi-rural life sought by people who moved to the area in the 1920s. Built soon after the platting of Richmond Acres in 1920, the house was located several blocks E of the North Trunk Road, a paved brick route from Greenlake to the county line, and several blocks from the Interurban rail line. Both these routes ran near what is now Highway 99. The original owner has not been identified. According to the tax records, Nellie M. Lichtfield purchased the property in 1937.

Description of Physical Appearance

This low-lying one-story cottage draws on Craftsman design elements, including the gable roof and cross gable porch (now enclosed), shingle siding, and brackets supporting the gable ends. The main volume of the original house measures approximately 27' x 30'. The original front door remains in the side entry. The door features 4x2 panes above four vertical panels. The house is clad in wood shingle. The roof was originally wood shingle as well; it is now clad in composition shingles. The house was remodeled in the 1930s; a 14' x 17' addition, with a lower roof than the main section, was likely added at that time. A large cobblestone chimney located in the addition is a prominent feature. The gable roofed front porch may have been enclosed in the 1930s as well. These changes, made during the depression, are considered part of the historic development of the house. In the 1930s, the house had a single garage and a large shed, perhaps used for an associated small-scale agricultural activity. When the house was built, the lot had been logged over, but smaller trees remained. The trees have grown back; the wooded lot to evokes the home's original semi-rural suburban setting.

Major Bibliographic References

King County Property Tax Records

Shoreline Historic Resource Inventory

HRI # 1176
(Field Survey # 33)



MAIN BUILDING		
DIMENSION		SQ. FT. AREA
27 x 30		1048
14 x 17		
PCH. 7 x 4		28
PCH. 10 x 6		60.

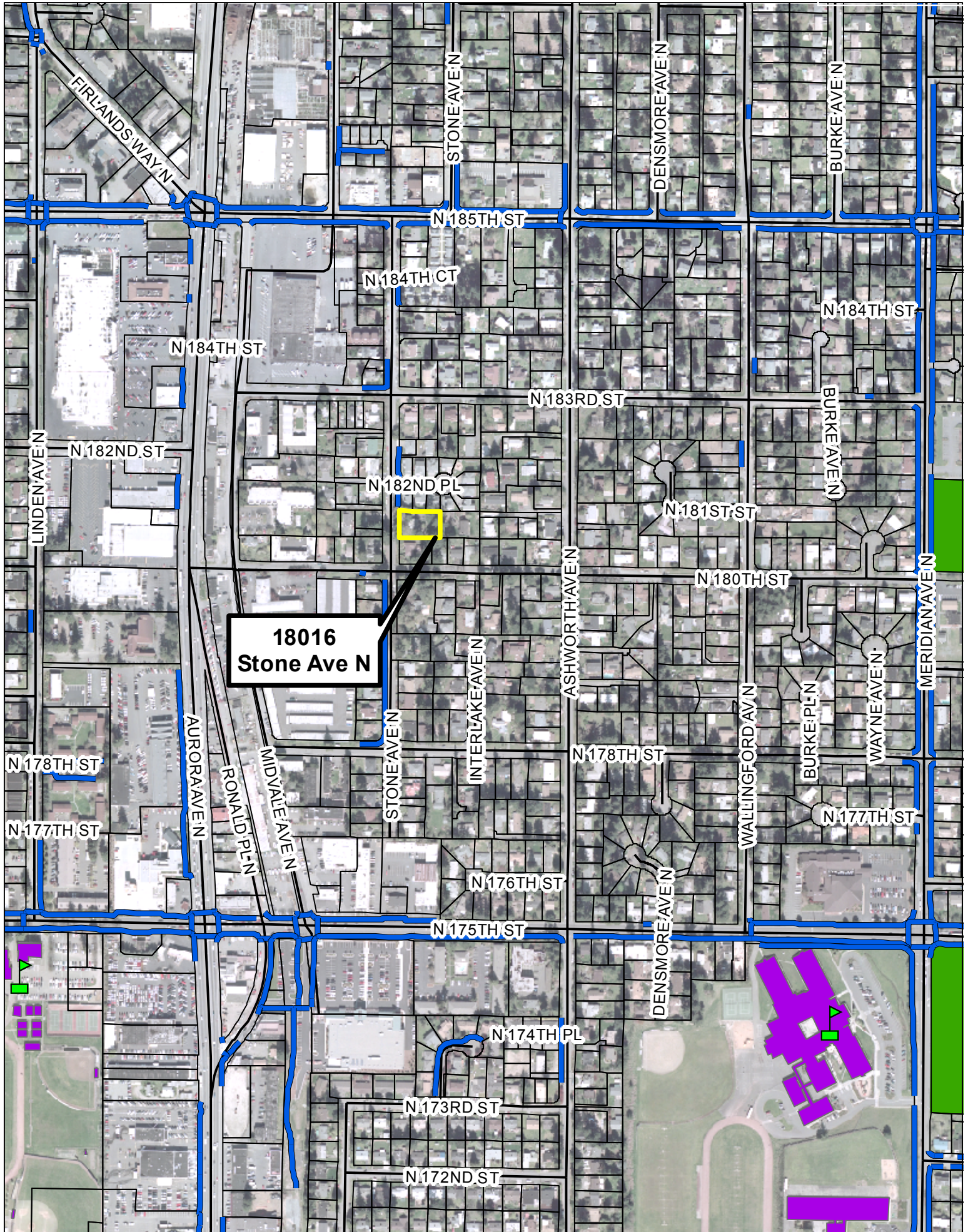
IMPROVEMENT VALUE	
MAIN BUILDING	\$ 780.
OTHER BUILDINGS	\$ 40.
TOTAL	\$ 760.
ASSESSED VALUE 30%	\$ 280.
DATE 1/1/38	17

[illegible]

A hand-drawn diagram of a composite figure on a grid. The figure consists of a large rectangle with a smaller rectangle attached to its right side and another smaller rectangle attached to its bottom side. The dimensions are labeled: the top horizontal edge is 30, the right vertical edge of the top-right rectangle is 14, the bottom horizontal edge of the top-right rectangle is 17, the bottom horizontal edge of the bottom rectangle is 6, and the left vertical edge of the bottom rectangle is 4. A small box labeled 'EP' is on the left side.

0285

109



Legend

- Parcel Line
- School
- Park
- Street
- Sidewalk

0 225 450 900 Feet



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Created on 4-18-06

DRAFT

These Minutes Subject to
July 6th Approval

CITY OF SHORELINE**SHORELINE PLANNING COMMISSION
SUMMARY MINUTES OF REGULAR MEETING**

June 15, 2006
7:00 P.M.

Shoreline Conference Center
Mt. Rainier Room

COMMISSIONERS PRESENT

Chair Piro
Commissioner Broili (arrived at 7:05 p.m.)
Commissioner Hall
Commissioner Harris
Commissioner McClelland
Commissioner Phisuthikul
Commissioner Wagner

STAFF PRESENT

Joe Tovar, Director, Planning & Development Services
Steve Cohn, Senior Planner, Planning & Development Services
Steve Szafran, Planner II, Planning & Development Services
Jessica Simulcik Smith, Planning Commission Clerk

COMMISSIONERS ABSENT

Vice Chair Kuboi
Commissioner Pyle

CALL TO ORDER

Chair Piro called the regular meeting of the Shoreline Planning Commission to order at 7:03 p.m.

ROLL CALL

Upon roll call by the Commission Clerk, the following Commissioners were present: Chair Piro, Commissioners Hall, Harris, McClelland, Phisuthikul and Wagner. Commissioner Broili arrived at 7:05 p.m. and Commissioner Pyle and Vice Chair Kuboi were excused.

APPROVAL OF AGENDA

Agenda Item 7.i was placed after Item 7.ii. In addition, the Director's Report was moved to later on the agenda.

APPROVAL OF MINUTES

The minutes of June 1, 2006 were approved as submitted.

GENERAL PUBLIC COMMENT

There was no one in the audience who expressed a desire to address the Commission during this portion of the meeting.

PUBLIC HEARING ON BECKER SITE-SPECIFIC REZONE #201522

Chair Piro reviewed the rules and procedures for the quasi-judicial public hearing. He reviewed the Appearance of Fairness Rules and inquired if any Commissioners received comments regarding the subject of the hearing from anyone outside of the hearing. None of the Commissioners disclosed any ex parte communications. No one in the audience expressed a concern about the participation of any Commissioner, either.

Staff Overview and Presentation of Preliminary Staff Recommendation

Mr. Szafran explained that the applicant is proposing to modify the existing zoning category for a 15,200 square foot parcel located at 18016 Stone Avenue North. Currently, the site is developed as a single-family home, which is on the City's Historic Inventory List. The subject parcel is relatively flat and has many significant trees. Four large trees that are located within the right-of-way adjacent to the subject property would be saved by meandering the required sidewalk around them.

Mr. Szafran displayed the proposed site plan and advised that the applicant is proposing to build four, low-impact single family homes. Sixty-five percent of the trees on site would be saved, as would the trees that act as a natural buffer on the north side of the property. Two covered parking structures would be built on the site, as well. He explained that with a parcel size of 15,200 square feet, the gross average density on the site would be 11.5 units per acre. He noted that the City has received four letters of opposition to the proposed development and site-specific rezone. He provided elevation drawings of the proposed structures, as well as some pictures illustrating the architect's work in other areas of Shoreline.

Mr. Szafran advised that the Comprehensive Plan designation for the adjacent parcels to the north, east and south is medium density residential, which allows residential zoning between R-8 and R-12. The parcels to the west across Stone Avenue North have been designated as either mixed use or community business, which allows all residential zoning between R-8 and R-48 and all commercial and industrial zoning categories. He further advised that the zoning in the immediate area is a mixture of R-6, R-8, R-12, R-24, R-48, Office and Regional Business. He provided pictures to illustrate current development in the immediate area. Nearby properties have been developed with a mixture of low-density single-family homes, medium-density single-family homes, duplexes, triplexes, multi-family buildings, and commercial uses.

Mr. Szafran said the subject property is located close to a major arterial, and Aurora Avenue North accesses a number of transit routes. The site is within walking distance to Cromwell Park and Shorewood High School, as well as numerous employment and shopping centers.

Mr. Szafran explained that when reviewing rezone applications, the Commission is required to consider five criteria. He briefly reviewed each of the criteria as follows:

1. **The rezone is consistent with the Comprehensive Plan:** The Comprehensive Plan designation is medium density, which allows up to an R-12 zone, and the proposed development would promote an efficient use of land. The current single-family residence on the site does not meet the goals and policies of the Comprehensive Plan. The proposal would provide varying styles of housing units for the future needs of Shoreline residents, would encourage infill development on an underutilized site, and would be compatible with existing housing types. The proposed development meets the land use, housing, environmental, and community design goals and policies.
2. **The rezone will not adversely affect the public health, safety of general welfare:** Adequate infrastructure exists in the area, and the proposal would utilize low-impact development techniques. The developer aims to keep as much natural vegetation as possible while placing the buildings around significant natural features on the site. Natural screening would remain in place to protect the privacy of adjacent neighbors.
3. **The rezone is warranted in order to achieve consistency with the Comprehensive Plan:** The medium density land use designation allows up to an R-12 zone. The proposed single-family homes would be less dense, have smaller building footprints, have less impervious surfaces and would not be as tall as other single-family homes that have been developed in the immediate area. The site is located in an area where higher density is encouraged and within walking distance to schools, parks, shopping, employment and transit routes. The current single-family home does not meet the goals and policies of the Comprehensive Plan since the site is developed at 2.8 dwelling units per acre.
4. **The rezone will not be detrimental to uses or property in the immediate vicinity of the subject rezone:** On the built portion of the property, density would be less than other projects recently completed in the neighborhood. Adequate sewer and water exists at the site. Stormwater would be contained on site using low-impact development techniques. It is estimated that only 2.2 peak hour trips would be generated, and landscaping would be provided along all property boundaries. Frontage improvements would meander around significant trees located in the right-of-way, and 65% of the significant trees on the site would be retained, where the City's code would only require 20% retention.
5. **The rezone has merit and value for the community:** The proposed project would be more environmentally friendly than if the site were redeveloped under the existing zoning category. The new homes would be placed within the natural features of the site rather than grading and cutting them down. While the new development would increase impervious surface more than what exists now, the impact would be less than what could occur with development under the current zoning designation of R-8.

For the reasons outlined in the rezone criteria, Mr. Szafran advised that staff recommends preliminary approval of the rezone based on the following conditions:

- The scale and architecture of homes must resemble elevations on file.
- Low impact development techniques must be used.
- Building heights shall not exceed 25 feet.
- At least 60% of the significant trees shall be retained

DRAFT

Shoreline Planning Commission Minutes
June 15, 2006 Page 3

- Trees acting as a natural screen on the north, south, east and west shall not be substantially changed from their current state.

Applicant Testimony

Scott Becker, Applicant, 19202 – 20th Avenue Northwest, advised that his company built the Reserve Cottages. He explained that their approach for the proposed project was based on a desire to provide an alternative to the standard type of housing development, which is not typically required to preserve any trees. In addition, they are trying to apply an array of low-impact development techniques to avoid adding the full burden of stormwater management that is normally required for development. He noted that at the Reserve Cottages, they hired geotechnical and civil engineers to figure out how to infiltrate and transpire the stormwater rather than sending it all to the overtaxed stormwater system.

Mr. Becker pointed out that the proposal is to develop the site to 25% lot coverage on a lot that allows much more. The footprint of the development is less than what could be built with a three-building development, which is currently allowed on the site. Upzoning would assist in providing a better overall development. He noted that the units have been uniquely designed and angled in such a way to avoid the removal of trees where possible. He summarized that they are trying to do something better to improve the neighborhood and preserve existing trees and wildlife habitat.

Questions by the Commission to Staff and Applicant

Commissioner Harris asked about the proposed building footprints. Mr. Becker answered that they are intending to construct three bedroom houses. The bottom level would be in the neighborhood of 750 square feet. The total square footage of space in each unit would be about 1,200.

Mr. Becker noted that the site plan has been revised since the Commission packets were mailed out. The slide displayed as part of the PowerPoint presentation shows the current site plan. He explained that the initial site plan was not based on a complete survey. Since that time, a survey has been performed to better identify all of the trees on the site. He noted that on the north side of the site there are smaller caliber trees that don't technically qualify as significant, but a number of them would be preserved as well. There are also some significant trees to the northeast that were not shown on the original site plan.

Commissioner Phisuthikul referred to the easement through the northern boundary of the property to serve the property to the east. He asked if this easement would serve other properties, as well. Mr. Becker answered that the easement currently serves only one house. He said he intends to locate the buildings as close as possible, while angling them to create open areas of common green space or patios. Commissioner Phisuthikul asked who would own the open areas. He also asked if a homeowners association would be formed. Mr. Becker replied that the homeowners would own the land their houses sit on, as well as a perimeter dimension of roughly 3 to 5 feet wide. The common open space would be planted with native species that are resilient and require less maintenance.

Commissioner McClelland requested clarification about the orientation of the proposed buildings. Mr. Becker answered that rather than orienting the houses towards Stone Avenue North, the green space along the street would be maintained. The easement would allow them to create a central area where parking and individual walkways to the units would be provided. The development would focus inward rather than out at the adjacent properties.

Public Testimony and Comment

Cong-Qiu Chu, 1301 North 182nd Place, said he lives across the street from the subject property. He said he enjoys the area and is not convinced the developer would be able to implement the plan without destroying the existing environment. He questioned the developer's ability to preserve 60% of the trees. He expressed his belief that four houses and two parking garages on the subject property would be too crowded, and he is concerned about the traffic impact created by the additional housing units. He pointed out that privacy is also a concern for the adjacent property owners. He said he strongly opposes the proposed development. He encouraged the Commissioners to visit the site to get a better idea of the neighbor's concerns. Commissioner Hall asked some details about Mr. Chu's home. Mr. Chu answered that on his cul-de-sac there are 10 or 11 houses. His home is 1,900 square feet in size.

Commissioner Broili noted that the developer's intent is to retain many more significant trees than the 20% required by the code. If the developer were to construct three single-family homes utilizing the maximum footprint allowed by the existing zone, the impact to the adjacent property owners would be much greater. Mr. Chu said he is still concerned about the impact that would be created by six structures on the subject property.

Yedim Liebman, 1309 North 182nd Place, said he would like the property to be developed as two single-family homes rather than the four that have been proposed. He pointed out the location of his home and driveway and expressed his concern about some of the existing trees on the subject property and the hazard they pose. He asked that the dangerous trees be removed before his home is damaged. He pointed out that a fifth house has been proposed for property to the east of the subject property. He concluded his remarks by reiterating his opposition to the proposal.

Commissioner McClelland inquired about the location of a fifth house that would be constructed to the east of the subject property. Mr. Szafran pointed out that the City has not received a building proposal for the east parcel. The property would be accessed via the 15-foot easement that would run through the subject parcel.

Rebecca Glass, 18033 Stone Avenue North, said she lives southwest of the subject property. She expressed her concern about the recent construction that occurred right next to her property. The first thing they did was cut away all the vegetation on the property, including most of the trees. The developer did everything possible to get around the City requirements. If Mr. Becker's development is built as proposed, it would be a good development for the neighborhood.

Brian Lee, 18018 Stone Avenue North, said he owns property to the east of the subject property. He said he has lived in his home for almost 25 years and has been in the real estate business for the past 30 years. He referred to previous developments that had a negative impact on the neighborhood. Numerous significant trees were removed to accommodate the new development. He said he supports the proposal as the best alternative for the neighborhood. He suggested that unless the City were to purchase the property for a park, the proposed development would be the best option. The Commission asked questions to clarify the location of Mr. Lee's property, how it is accessed, and what his future plans are.

Martin Kral, 1317 North 183rd, said his property is located just to the north of the subject property. Contrary to the information provided in the staff report, he pointed out that the east side of Stone Avenue North is developed as single-family residential throughout, with the exception of the Meridian Park Cottages. He suggested that the current proposal appears to be another effort to develop cottage housing in the neighborhood. He concluded that if spot zoning were allowed to continue in Shoreline, the neighborhoods would be in danger. He pointed out that the landscape buffer along the north boundary of the subject property is actually part of the Elena Lane Development. This landscape buffer was one of the conditions set forth by the City to mollify the concerns raised by the neighbors. He expressed his belief that the neighborhood would be detrimentally impacted by allowing a cottage housing type development on the subject property. They already have two cottage housing developments in their area.

Commissioner McClelland requested clarification about the landscape buffer mentioned by Mr. Kral. Mr. Kral clarified that this buffer adjoins the easement to the north of the property line. The line of trees is actually owned by the adjoining property owner to the north. It is a landscape barrier that was negotiated and agreed to by a previous developer. Therefore, it should have no impact whatsoever on the proposal. Mr. Szafran pointed out the location of the buffer of trees

Ellie Brandower, 1314 North 180th Street, said she lives behind the proposed development. She referred to the site plan and asked what a feature on the plan was. She noted that this was not identified on the site plan she received previous to the meeting. She expressed her concern that the proposed development would interfere with her privacy. She said she is also concerned that the bushes separating her property from the subject property would have to be removed.

Commissioner Hall clarified that the two parallel lines drawn from the corners of the central units indicate a 9-foot distance between the two buildings. These lines do not represent a road or any other type of construction. They are architectural lines on the map to show distance. Ms. Brandower asked how far from the property line the houses would be built. She concluded her remarks by stating that she is opposed to the proposed cottage development. The idea of a park or something of that nature would be better.

Presentation of Final Staff Recommendation

Mr. Szafran said staff's final recommendation is that the Planning Commission move to recommend to the City Council that R-12 zoning be adopted for the property located at 18016 Stone Avenue North, with the following conditions:

1. The scale and architecture of homes must exhibit characteristics of those presented at the Planning Commission such as small building footprints, lower building heights, and less intrusive homes to neighboring properties.
2. Low impact development techniques must be used.
3. Building heights shall not exceed 25 feet.
4. At least 60% of the significant trees shall be retained.
5. Trees acting as a natural screen on the north, west, east and south shall not be substantially modified from their current state.

Mr. Tovar clarified that the proposal is not a "cottage housing" development, and the City no longer has cottage housing regulations. The current proposal is to rezone the subject property to R-12, which is a single-family zone. He suggested that one question the Commission might want to discuss is whether or not a unit that is smaller than a certain number of square feet could be considered a single-family house.

Final Questions by the Commission and Commission Deliberation

Commissioner Harris noted that on Page 41 of the Staff Report, staff stated that the Elena Lane Development was built at 12.8 units per acre. But then Page 46 states that it is 12.8 net dwelling units per acre. He noted that the current zoning designation for this property is R-8. He asked if the staff's calculations excluded the road. Mr. Szafran said that the road and open space/drainage facility were excluded. Commissioner Harris clarified that the Elena Lane Development was built to the R-8 standards, so the language in the Staff Report was misleading.

Commissioner Phisuthikul asked if the property could accommodate five dwelling units if the zoning were changed to R-12. Mr. Szafran said that only a maximum of four units would be allowed.

Commissioner McClelland asked Mr. Becker to clearly identify the trees the applicant has control of, particularly the trees on the north side of the property. Commissioner Hall pointed out that if the Commission were to approve the rezone application, with the condition that at least 60% of the significant trees be retained, staff would have to verify how many significant trees are on the site. Commissioner Broili said it would behoove the Commission to be sure that everyone is clear on what is planned for the subject property.

Mr. Becker explained that the survey excluded non-significant trees that were less than 8 inches in diameter. The non-significant trees and the hedge along the border were excluded from the calculations because the City does not require them to be kept. However, he plans to retain them anyway. He pointed out that border trees along the driveway are actually owned by both properties, and they would be retained. The significant trees along this border were not included in the calculations, either. The 65% of trees that he is proposing to keep would be significant caliber trees in excess of all of the vegetation along the border.

Commissioner Phisuthikul asked if any civil engineering work has been done on the plans. Mr. Becker said a civil engineer is currently reviewing a geotechnical report that includes a soils component and perk test. Their intention is to infiltrate on the site so that stormwater could be contained on site and not enter the City's stormwater system. He noted that their engineering firm has a great deal of expertise in doing low-impact development.

COMMISSIONER HALL MOVED THAT THE COMMISSION RECOMMEND APPROVAL OF THE STAFF'S RECOMMENDATION FOR THE SCOTT BECKER SITE-SPECIFIC APPLICATION (LOCATED AT 18016 STONE AVENUE NORTH, APPLICATION #201522) WITH ON ADDITIONAL CONDITION THAT REQUIRES THAT PRIOR TO DEVELOPMENT AN ARBORIST BE RETAINED BY THE DEVELOPER TO EVALUATE THE NORTHEAST PORTION OF THE PROPERTY AND REMOVE ANY HAZARDOUS TREES PRESENT. COMMISSIONER WAGNER SECONDED THE MOTION.

Commissioner Hall suggested that the Commission focus on the difference between what likely could occur in the future if the rezone is or is not approved. The prospect of having an additional City park is wonderful, but he would not support the City requiring a private property owner to give up property for a park. He pointed out that the likelihood of redevelopment on the subject property is high. He agreed that the size of the proposed lots would be smaller than many of the surrounding properties. However, he reminded the Commission that the purpose of the City's Comprehensive Plan is to balance the goals of the community, including the goal to provide a variety of housing types and adequate housing to meet the growth targets for population over the next 25 years. For that purpose, it is common for land use designations to allow for a more intense use of property than the current use. Through redevelopment, the City will see higher intensity uses in order to house the population.

Commissioner Hall said he sees value to the community in redeveloping the property in a way that preserves the trees in a natural environment. He referred to Land Use Policy 108 which states that the removal of healthy trees should be minimized, particularly when they are in environmentally critical areas. He advised that the City has an opportunity to balance the goals of the Comprehensive Plan. They can get increased housing density while preserving trees. Therefore, he plans to support the motion.

Commissioner Harris said that he really likes the architectural style proposed by the applicant. However, he reminded the Commission that his previous project, the Reserve Cottages, was not well-received by the neighborhood. Therefore, it would be inaccurate to say that architecture is the selling point for the proposal. He also expressed his concern that the design is inclusive and does not reach out to the community. He noted that planning publications talk significantly about the need to design developments that integrate into the community. He also expressed his concern that the rest of the street is zoned as R-8, so a rezone to R-12 could be considered a spot zoning.

Commissioner Broili said he is also disturbed about the proposal that would allow R-12 zoning in an area that is otherwise zoned R-8. He expressed his concern that this could set a precedent for future rezones in the area. He said he can also appreciate the neighbors concerns about increased traffic. Four homes would likely result in two additional cars per unit. Eight additional automobiles in a cul-de-sac could definitely have an impact. On the other hand, he applauded the reduced impact design that is being proposed. The proposed development would be far more conducive to the environment than the recent Elena Lane development.

Commissioner McClelland agreed with the concerns raised about traffic impacts. Even though the four houses and two garages may not cover any more ground than two big houses, the proposed design and easement is awkward. Having an easement right along the property line would be intrusive on existing developments.

Commissioner McClelland said the community's impression of single-family development is one house on one lot. When more than one dwelling unit is allowed on a lot, the community may no longer view it as single-family. While the City has provisions to allow more than one unit on a lot, the proposed project might be perceived by the public as a variation of cottage housing.

Commissioner Hall agreed that the issue of "spot zoning" is a legitimate concern. He reminded the Commission that the Cottage Housing Ordinance was viewed by some as a way to get around the zoning code to build a greater density than what is allowed by the City Code, but that is not what the applicant is

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doing. Mr. Becker is going through a legal process that existed long before the City ever had a Cottage Housing Ordinance. Any property owner has the option to request that the zoning on their property be changed. This gives the community and neighborhood a fair opportunity to speak for and against the proposal. He suggested that any discussion related to cottage housing is inappropriate for this application. The proposal is a site-specific, property-owner initiated rezone.

In regards to traffic, Commissioner Hall noted that the development immediately to the north has 11 units on a private street. The proposed development would only have four units, plus the possibility of two more in the future, on a private street. With respect to the easement, he pointed out that the screening vegetation is located on the property line, and documents have been included in the record indicating that the property owner would preserve this vegetation. While preserving the neighborhood character is important, he has not seen a proposal come before the Commission that does a better job of balancing the need to increase the population to meet the City's growth target with the need to preserve trees. He urged the Commission to support the proposal.

Commissioner Harris pointed out that one of the reasons Elena Lane is so intrusive is because of the size of the required road and cul-de-sac to meet the City standards. If the road width could have been reduced, larger front yards and more trees could have been part of the plan.

Chair Piro said he is uncomfortable identifying the proposal as a "spot zone." He thinks of spot zoning as a more dramatic change such as rezoning a property within a single-family zone to commercial. Going from R-8 to R-12 zoning is a natural, gradual and compatible change. Under the current zoning designation, the property would accommodate three homes, and the rezone would allow four. He expressed his belief that the proposal represents a creative way to construct single-family housing units.

Commissioner Wagner noted that prior to her joining the Commission there seemed to be a number of conditions placed on a project at Echo Lake that were changed drastically after the proposal left the Planning Commission. She suggested that they not just review the project based on what is being proposed. She agreed that the proposal is attractive and supports the concept of low-impact housing, but the Commission should keep in mind that changes could occur to the site plan after they pass their recommendation on the rezone application to the City Council.

Commissioner Wagner said that while the height restrictions found in proposed Condition 3 start to address the issue of lot coverage, further defining the maximum footprint allowed would help address this concern.

Commissioner Broili recalled that the Cottage Housing Ordinance included a suggested ratio between the 1st and 2nd floor. Commissioner Hall recalled that in the Commission's final deliberations they talked about requiring that at least 700 of the 1,000 square feet had to be located on the ground floor. Commissioner Broili pointed out that the Reserve Cottages were not well received in large part because they did not adhere to that ratio. They were considered to be out of proportion with the rest of the neighborhood. He suggested that perhaps some type of floor ratio could be incorporated as a condition of the rezone. Commissioner Phisuthikul suggested that a simpler alternative would be to create a condition to limit the lot coverage ratio of the structures and impervious surfaces.

Commissioner McClelland pointed out that the proposed site plan would not be binding if the rezone application were approved. However, Commissioner Phisuthikul emphasized that the conditions placed

DRAFT

on the rezone application would be binding on whatever site plan is approved. That is why it might be appropriate to create a condition to identify the maximum lot coverage allowed. Mr. Szafran pointed out that any time a condition is added to a rezone application, it is considered a contract. Although it would not be called a contract rezone, the applicant would be obligated to meet all of the conditions.

Commissioner Hall reminded the Commission that their role is to recommend policy decisions, and the City Council's role is to make policy decisions. The staff is responsible to implement the policy decisions. He cautioned that the Commission should not make bad policy recommendations out of concern that someone in the governmental process has not performed their role. The Commission should maintain their role to make good policy recommendations and trust that staff would continue to do their very best to implement the policies. He said he is comfortable that proposed Condition 1 would address concerns related to lot coverage and compatibility.

Commissioner Broili referred to proposed Condition 2 and explained that low impact development, by definition, speaks to such things as hydrology at the site. The applicant does not know whether or not the site can be infiltrated in order to apply specific low-impact development techniques. He noted that low-impact development is not defined in the City code, so the Commission does not know exactly what the term means. The applicant might have to make changes in the design.

Commissioner Hall pointed out that even if the only low-impact development technique used by the applicant was to preserve the trees, this would result in a reduction of stormwater runoff. He pointed out that under the existing zoning, a developer could construct three houses on the subject property with no public hearing requirement and no requirement to implement low-impact development. Commissioner Broili agreed but stated his belief that since the code is not clear about the meaning of low-impact development, proposed Condition 2 would be meaningless.

Chair Piro summarized that the Commission seems to be in agreement about the appropriateness of proposed Conditions 3, 4, and 5, as well as a new Condition 6 that would require an evaluation by a certified arborist of the trees on the northeast corner of the site. However, the Commissioners still have concerns about proposed Conditions 1 and 2.

Commissioner McClelland said that if the Commission could be assured that the proposed site plan represents what would take place on the site, it would be much easier to support proposed Conditions 1 and 2. However, certain conditions relating to Conditions 1 and 2 could change after the rezone application has been approved.

Chair Piro said the Commission does not have an opportunity to provide feedback regarding the site plan once they have forwarded their recommendation to the City Council. He invited the Commissioners to provide feedback on changes that could be made to proposed Conditions 1 and 2 to satisfy some of their concerns.

Commissioner Broili said he plans to support the proposed rezone application. However, it is important to voice all of their concerns as part of the record. The Commission has an opportunity to bring forward issues of concern in order to move the City towards the point of where they do have definitions for low-impact development, etc.

Mr. Szafran pointed out that the code restricts single-family development to a 35% building lot coverage, and the proposed site plan identifies 25%. The code allows 50% total impervious surface and the applicant is proposing 45%.

Closure of the Public Hearing

COMMISSIONER HALL MOVED THAT THE PUBLIC HEARING ON THE SCOTT BECKER SITE-SPECIFIC REZONE REQUEST BE CLOSED. COMMISSIONER BROILI SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

Vote by Commission to Recommend Approval, Denial or Modification

Commissioner Hall concurred with staff's findings and conclusions that the proposal is consistent with the Comprehensive Plan. In addition to the goals and policies staff called out, the proposal also addresses the following Comprehensive Plan goals and policies:

- Community Design Goal 1, which promotes community development and redevelopment that is carefully considered, aesthetically pleasing, and functionally consistent with the City's vision for preservation of trees and environmental sensitive areas.
- Land Use Policy 108, which calls for the need to preserve healthy trees.
- Land use Policy 87, which speaks to providing standards for site development to minimize environmental impacts.

Commissioner Broili expressed his concern that if construction and the removal of trees and vegetation is not done carefully, the root systems of other trees could be impacted and the remaining trees could die anyway. He suggested that new Condition 6 be expanded to require an arborist be on site during excavation and land development to ensure protection of the remaining trees.

COMMISSIONER BROILI OFFERED A FRIENDLY AMENDMENT TO EXPAND THE NEW CONDITION 6 TO HAVE THE ARBORIST VISIT THE SITE TO REVIEW TREE REMOVAL DURING THE COURSE OF DEVELOPMENT.

Commissioner Hall said he would be comfortable having an arborist on site during the course of site development, but leave it to the staff to determine when that should be done. Commissioner Harris pointed out that the City's code is very specific that a tree retention plan would have to be prepared by an engineer, so there would be no need to expand Condition 6. Commissioner Broili shared an example of a development near his home where the City code was not being adhered to.

Commissioner Harris said that the proposed friendly amendment is non-specific and does not indicate when the arborist would visit the site. Commissioner Broili said the point has been made that the Commission should lay out basic policy and then expect staff to follow through. The friendly amendment merely indicates that the Commission would like a little attention to this unusual site plan, especially where the trees would be close to the building. A bit more attention by an arborist during the development process is not too much to ask as a condition of the rezone.

COMMISSIONERS HALL AND WAGNER ACCEPTED THE FRIENDLY AMENDMENT.

THE MAIN MOTION TO RECOMMEND APPROVAL OF THE STAFF'S RECOMMENDATION FOR THE SCOTT BECKER SITE-SPECIFIC REZONE APPLICATION, WITH ONE ADDITIONAL CONDITION AS AMENDED, WAS APPROVED UNANIMOUSLY.

The Commission took a recess. They reconvened the meeting at 9:20 p.m.

PUBLIC HEARING ON JAY FINNEY SITE-SPECIFIC REZONE #201508

Chair Piro reviewed the rules and procedures for the quasi-judicial public hearing. He reviewed the Appearance of Fairness Rules and inquired if any Commissioner received comments regarding the subject of the hearing from anyone outside of the hearing. None of the Commissioners disclosed any ex parte communications. No one in the audience expressed a concern about the participation of any Commissioner, either.

Staff Overview and Presentation of Preliminary Staff Recommendation

Mr. Szafran said the subject property is located at 14539 – 32nd Avenue Northeast. There is currently a condemned single-family home on the site. The house has been vacant for approximately 10 years and has been used by vagrants and as a dumping ground. It has few if any significant trees. The applicant is proposing a 4-unit town home development, much like the one located three parcels to the south of the subject property. The development would consist of two buildings, with two town homes in each. The density of the site would be 20.6 units per acre, and the approximate height of the buildings would be 34 feet. He noted that the City received 13 letters in support of the proposal and one letter in opposition.

Mr. Szafran reviewed that the Comprehensive Plan for the adjacent parcels is mixed use, which allows all residential zones between R-8 and R-48 and all commercial and industrial zoning categories. The zoning in the immediate area includes R-12, R-18, R-24, R-48 and Neighborhood Business. The area is developed with a mix of older homes, duplexes, triplexes, multi-family buildings and commercial uses. The subject property is located close to major arterials that access a number of transit routes, and is within walking distance to Hamlin Park, Shorecrest High School, Briarcrest Elementary, numerous churches, employment and shopping centers.

Mr. Szafran said the rezone request meets the goals and policies of the Comprehensive Plan by promoting an efficient use of land, encouraging infill development, reviving development in an older area, matching densities existing in the area, encouraging alternative modes of transportation, and improving the safety and aesthetics of the Briarcrest Neighborhood.

Applicant Testimony

Jay Finney, Applicant, 19825 – 52nd Place, Lynnwood, said he agrees with the staff report as presented and was available to answer Commission questions.

Questions by the Commission to Staff and Applicant

Commissioner Hall noted that many of the comment letters indicated a desire to save the trees. He asked if the two conifers near the back of the property are on the subject property. Mr. Finney answered that

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one is on the adjoining property and the other one is on or close to the property line. Commissioner Hall noted that the site plan does not indicate how many significant trees are on the site.

Public Testimony or Comment

Scott Solberg, 2020 Northeast 177th Street, indicated his support of the rezone proposal.

Presentation of Final Staff Recommendation

Mr. Szafran reminded the Commission that the code would allow the applicant to remove six significant trees from the site without any permits.

Final Questions by the Commission and Commission Deliberation

COMMISSIONER BROILI MOVED THAT THE COMMISSION RECOMMEND APPROVAL OF THE STAFF'S RECOMMENDATION FOR THE FINNEY SITE-SPECIFIC REZONE APPLICATION LOCATED AT 14539 – 32ND AVENUE NORTHEAST. COMMISSIONER HARRIS SECONDED THE MOTION.

Commissioner McClelland asked if the applicant would conduct some pest abatement prior to redevelopment of the site. When there is development on the site, the pests would likely move to some other property. Mr. Finney explained their efforts to clean up the site. He has put out rat bait and traps to take care of the pest problem before the building is torn down.

Commissioner Hall asked if any significant trees have been removed in the past three years. Mr. Szafran said the City has no information about whether or not trees have been removed from the site in the past 36 months. Mr. Tovar explained that when a site is significantly overgrown, it is difficult for the staff to accurately identify the number of trees that have been removed.

Commissioner Hall pointed out that many of the people who have offered support for the proposal have conditioned their support based on whether or not the Conifer trees would be retained. If these trees are removed, then the recorded testimony both for and against the proposal becomes quite mixed.

Commissioner Harris said he is well aware of the property, and nothing has changed for the past several years except to board up the windows and doors. He has not noticed any tree cutting on the property within the last three years.

Mr. Finney said that while working on the project to the south a few years ago, he had the chance to meet all of the neighbors. The neighbors actually brought the subject property to his attention. The owner of the property across the street has offered great support for the project, even though she is in favor of saving trees. Commissioner Hall inquired if it would be a fatal obstacle to the proposed development if the applicant were to attempt to save all of the significant trees on the site. Mr. Finney answered that it would.

Commissioner Phisuthikul inquired if the property would be allowed up to five units if the rezone application were approved. Mr. Szafran answered affirmatively, but said the applicant is only proposing four units.

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Closure of the Public Hearing

COMMISSIONER BROILI MOVED TO CLOSE THE PUBLIC HEARING ON THE JAY FINNEY SITE-SPECIFIC REZONE REQUEST. COMMISSIONER HARRIS SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

Vote by Commission to Recommend Approval or Denial or Modification

Commissioner Hall recalled the previous proposal to build four units on a 15,200 square foot lot and preserve 60% of the trees. The Commission spent over an hour discussing their concerns about tree removal. Now they are entertaining a proposal to put four units on an 8,460 square foot lot and remove all of the significant trees on the site, and he is perplexed that the Commission does not seem to be concerned.

Commissioner Harris said he does not believe the two proposals are similar. The surrounding properties are zoned as R-18 and R-24. The proposed zoning would also be very compatible with the strip along Lake City Way that is zoned Neighborhood Business. Commissioner Hall pointed out that the rezone proposal would double the number of units allowed on the site. He suggested that an R-18 zoning designation would be a better option and would enable the developer to provide a 15-foot setback near the back of the lot to save the Conifers. He said he recognizes that even with the current zoning, the applicant could cut down the Conifer tree that is on his property. However, this rezone request offers the City an opportunity to further the Comprehensive Plan policies to preserve healthy trees whenever possible.

Commissioner Harris reminded Commissioner Hall that he consistently cautions the Commission not to single out one applicant and require them to do something above what the code would allow in order to gain approval for a project. Instead, the Commission should follow the development code requirements when making their recommendations. Commissioner Hall agreed. However, he expressed his belief that the Commission has the authority and responsibility to consider consistency with the Comprehensive Plan, and not just the Development Code, when making rezone decisions.

Chair Piro extended the meeting to 10:00 p.m.

Commissioner Broili said he drove by the subject property prior to the meeting. While he agrees with Commissioner Hall's concerns, the site is very different than the previous proposal and whatever is done would be an improvement over the present situation. He noted that the testimony on the previous proposal was that it was fine as it was currently developed and redevelopment of any type would create a negative impact to surrounding property owners. Any redevelopment of the current subject property would have a positive impact. While he recognizes that the Commission cannot condition the application to require the applicant to use low-impact development techniques, etc. he would certainly encourage him to do so. He also encouraged the applicant to consider street edge alternatives for the landscape strip to mitigate some of the runoff from the parking area along the north side.

COMMISSIONER PHISUTHIKUL MOVED THAT THE MOTION BE MODIFIED TO LIMIT THE NUMBER OF DWELLING UNITS ALLOWED AT THE FINNEY SITE TO FOUR. COMMISSIONER BROILI SECONDED THE MOTION.

Commissioner Phisuthikul pointed out that if the rezone is not limited to four units, a developer could construct five units instead.

Commissioner Broili asked if increasing the number of units on the site would change the amount of impervious surface and lot coverage allowed on the site. Commissioner Hall said the application would still have to meet the requirements of the building code, but the separation between the buildings might be different or the buildings could be taller.

The Commission discussed whether it matters if four or five units would be constructed on the site. Commissioner Hall pointed out that if the site plan does not match what the community saw when they offered their support, it is possible that some may not support a different proposal.

Commissioner Broili said he would vote against the proposed condition. Since this site is located on a major transportation corridor, he would not be opposed to the increase in density, as long as the City's code requirements for density and lot coverage could be met. Chair Piro pointed out that both 145th Street and Lake City Way are major bus corridors, and there is already R-48 zoning on the same block and the adjacent block. He said he would not be opposed to five units on the site, either.

THE MOTION TO AMEND THE MAIN MOTION FAILED 2-5, WITH COMMISSIONERS HALL AND PHISUTHIKUL VOTING IN FAVOR AND CHAIR PIRO AND COMMISSIONERS BROILI, HARRIS, MCCLELLAND, AND WAGNER VOTING IN OPPOSITION.

THE MAIN MOTION CARRIED 6-1, WITH COMMISSIONER HALL VOTING IN OPPOSITION.

REPORTS OF COMMITTEES AND COMMISSIONERS

Chair Piro extended the meeting to 10:05 p.m.

None of the Commissioners provided any reports during this portion of the meeting.

UNFINISHED BUSINESS

No unfinished business was scheduled on the agenda.

NEW BUSINESS

Retreat Update

Julie Modrzejewski, Assistant City Manager, thanked the Commission for inviting her and Marci Wright, Human Resources Director, to facilitate the Commission's 2006 retreat. She distributed copies of the 2005 Planning Commission Retreat Agenda. Just as last year, she suggested that phone interviews with each Commissioner be used to establish the 2006 agenda. She asked that Commissioners indicate the best time for her or Ms. Wright to phone them. She noted that they would like to start the phone interviews next week, and then design a draft agenda that could be presented to the Commission the

week of July 3rd. The last minute details and logistics could be worked out by the week of July 10th so the retreat could be conducted on July 20th.

In preparation for the retreat, Ms. Modrzejewski asked the Commissioners to complete an on-line survey. She explained that this tool is easy and quick to use. The Commissioners would be asked to grade staff on how they met the Commission's expectations. They would also be asked to grade their fellow Commissioners. She recalled that the Commission spent a lot of time discussing expectations at their 2005 retreat, so it would be healthy to assess how they are doing. She noted that staff also developed expectations of the Planning Commission, and they would be asked to complete an evaluation, as well.

Ms. Modrzejewski encouraged the Commissioners to attend the joint communications training meeting with the City Council, the Parks Board and other Boards and Commissions. She said it would be helpful to see how well the Commission works as a team and with the staff as part of the team. Commissioners who are unable to attend the joint meeting could arrange for a short one-on-one or small group training session with either her or Ms. Wright before the retreat.

DIRECTOR'S REPORT

Mr. Tovar announced that the appeal that was filed against the City's Critical Areas Ordinance amendment for regulating piped watercourses and setbacks was settled. In exchange for the appellant's agreement to dismiss the petition, the City has agreed to review the issue again. He advised that an amendment would be proposed next fall for the Commission's consideration and a new record would be established. The Critical Areas Ordinance amendments that were previously approved by the City Council would remain intact for the time being.

Mr. Tovar advised that the Commission's recommendation regarding the Hazardous Tree Ordinance has been forwarded to the City Council. A public hearing has been scheduled before the City Council on July 10th. Council deliberation and possible action has been scheduled for July 17th. He explained that the moratorium expires on July 3rd, and a public hearing has been scheduled for June 26th for the sole purpose of continuing the moratorium and interim control until September 3rd.

Mr. Tovar reported that the City Council would review the Critical Areas Stewardship Plan proposal at a study meeting in August. Staff would explain the history of the issue, as well as the Commission's recommendation of denial. The City Council would then provide additional direction on how they want the staff and/or Commission to proceed.

Mr. Tovar announced that Ms. Simulcik Smith recently graduated from the University of Washington with a degree in Communications.

ANNOUNCEMENTS

Commissioner Broili shared a report on the concept of "green roofs." He noted that his co-worker, Drew Gangnes, a Shoreline resident and highly respected engineer, did some of the work that was completed by the City of Seattle through Seattle Public Facilities. They have been conducting tests on four sites to see how green roofs work. Tests indicate that runoff was reduced by 92 percent, even during the

heaviest storm when the soil was already saturated, runoff was reduced to a point of 79%. He encouraged the Commission to consider this concept as a possible option for development in Shoreline.

Commissioner Hall asked Mr. Tovar to provide a report at a future meeting about whether the updated Puget Sound Regional Council's 2020 + 20 Plan would be consistent with the City's Comprehensive Plan and growth targets.

Commissioner McClelland invited the Commissioners to attend the Art Gala on Friday, June 23.

AGENDA FOR NEXT MEETING

Chair Piro announced that the next meeting would be July 6th, and two public hearings and a workshop discussion have been scheduled on the agenda.

ADJOURNMENT

The meeting was adjourned at 10:12 p.m.

Rocky Piro
Chair, Planning Commission

Jessica Simulcik Smith
Clerk, Planning Commission

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CITY COUNCIL AGENDA ITEM

CITY OF SHORELINE, WASHINGTON

AGENDA TITLE: Ordinance No. 437 – Adopting an eight month reduction in the City Gambling Tax on Social Card Rooms to 9% of Gross Receipts
DEPARTMENT: City Manager's Office
PRESENTED BY: Robert L. Olander, City Manager

PROBLEM/ISSUE STATEMENT:

Several casinos in Shoreline are requesting that the City of Shoreline consider lowering the City's 10% card room gambling tax as result of declines in their activity levels. The City Manager recommendation is to adopt a 10% reduction lowering the gambling tax on social card rooms.

BACKGROUND:

In terms of considering this issue staff believes it is important to consider the industry as a whole in Shoreline and not to concentrate or provide preference to any particular casino. Individual business practices and investments will vary between casinos and to a certain extent customers may shift between gambling establishments. It is also important for the City to consider this at the level of gross revenues as opposed to individual casino profit and loss statements. The profit and loss is highly dependent on individual business decisions such as capital investments, depreciation schedules, officer draws and salaries, promotional budgets, etc. The total annual gross revenues for the five Shoreline casinos are as follows:

<u>Year</u>	<u>Gross Receipts</u>	<u>Tax Rate</u>	<u>City Revenue</u>
2001	\$16,859,584	11%	\$2,019,159
2002	\$18,219,538	11%	\$2,337,808
2003	\$20,276,031	11%	\$2,501,812
2004	\$26,413,373	11%	\$2,991,084
2005	\$26,337,937	10%*	\$2,712,877

* The City reduced the tax rate by 9% (from 11% to 10%) effective April 1, 2005, resulting in a savings to the casinos of approximately \$195,000 for 2005.

First quarter 2006 gross revenue for all the casinos were \$5,596,446 compared to \$6,587,011 for the first quarter in 2005, which is a reduction of approximately 15%. Preliminary figures for the second quarter indicate an even larger decline.

In discussions with the Shoreline casinos it is apparent that their business is being affected by a number of statewide and local factors. Those factors include the following:

- Tribal Casinos
- Smoking
- Regional Non-Tribal Competition
- On-Line Illegal Betting
- Construction Impacts

A final factor mentioned by local casinos is the construction delays along Aurora. Although not all casinos are in the construction zone, delays and less traffic on Aurora in general contributes to a loss of patronage.

DISCUSSION

In the view of staff, the non-tribal industry throughout the State is facing serious structural competition well beyond the control of the City. These statewide and even national challenges may inevitably lead to a shake out and shrinkage of the non-tribal casinos. It would not surprise us to see some casinos in the region go out of business, change emphasis or merge. Regardless of any reasonable action the City undertakes these larger forces will determine the shape of the industry and the future of local casinos. Despite these larger forces, Shoreline casinos do benefit from some local competitive advantages. First of all, Seattle does not allow casinos so Shoreline establishments have a distinct advantage in being the closest casino gambling available for all of north Seattle, which is a very large market draw area. Second, Shoreline has established that no new casinos are allowed, but that existing ones may continue as non-conforming uses. This guarantees no added local competition. It also makes it possible that if a casino were to go out of business that someone else may purchase that business in order to preserve the use and gaming license since no more would be allowed in the future. (A non-conforming use can cease operation for up to a year before losing its non-conforming status).

Staff believes that the appropriate role for the City is to ensure a level playing field for private industry competition. To that end the City's tax rate should be average to what other nearby cities are charging. This is the primary reason the City reduced the tax rate to 10% in 2005. Since this is still the area average, we do not believe there is justification for a lower base rate. However, the one area in which the City does have control and some responsibility is that of traffic impacts due to Aurora construction. Though the other structural factors are the primary cause of lower casino revenues, traffic congestion undoubtedly contributes to lower customer volume. It has been our general policy to help Aurora businesses during construction through access management, traffic control and more recently promotion and advertising. Therefore, staff can comfortably recommend a temporary 10% reduction in the gambling tax (from 10% to 9%) to off set construction impacts. Staff recommends that it become effective August 1, 2006 and expire March, 2007. Although this phase of Aurora is scheduled to be substantially complete by the end of December, we should provide some time for businesses to build back up their customer base.

ALTERNATIVE CONSIDERED

Implicit in the above discussion is an alternative to permanently lower the gambling tax rate. For all the reasons discussed, this is not recommended. Any significant reduction will not guarantee that the Shoreline casinos will be able to continue to operate. The structural market forces at work will be the deciding factors. As long as our local tax rates are average for the region it is appropriate for the private market to reach its own level. Also, any significant reduction will reduce City revenues with no guarantees that all the casinos will be able to stay in business

FINANCIAL IMPACTS

There are both long-term and short-term financial impacts to consider. In the long-term we can expect a marked decrease in gambling tax revenues due to the competitive environment and lower gross revenues. Depending on second quarter returns we will need to revise our mid year revenue estimates in this category. However, there are some offsetting increases in Real Estate Excise Tax (REET) to help a reduction of gambling tax allocation to capital and there are some remaining one-time savings from 2005 to help off-set a reduction to operational revenue. In the short-term the financial impact from the recommended 10% reduction is anticipated to reduce 2006 revenue by an additional \$126,000 and 2007 revenue by approximately \$61,500. These reductions would occur within the City's roads capital fund since it is a result of reducing the tax rate from 10% to 9%. As was mentioned earlier, it is likely that there will be additional REET collected that could offset this temporary loss of revenue.

As more information is received on actual gross receipts for the card rooms for the second quarter of 2006, staff may recommend a mid-year 2006 budget adjustment, separate from this gambling tax rate reduction recommendation.

RECOMMENDATION

It is recommended that the City Council adopt Ordinance No. 437 for a temporary gambling tax reduction to 9% to mitigate the Aurora construction impact as outlined above.

ATTACHMENT: Ordinance No. 437 – Adopting an eight month reduction in the City gambling tax on social card rooms to 9% of gross receipts.

Approved By: City Manager  City Attorney ____

ORDINANCE NO. 437

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON, ADOPTING AN EIGHT MONTH REDUCTION IN THE CITY GAMBLING TAX ON SOCIAL CARD ROOMS TO 9% OF GROSS RECIEPTS; AND AMENDING SHORELINE MUNICIPAL CODE 3.30.020.

WHEREAS, The City Council received requests from the Shoreline card room operators for a reduction in the City's gambling tax; and

WHEREAS, the Council finds there is a sufficient showing that the current tax rate may result in unprofitable operations due to statewide and local factor affecting the gaming industry and temporary impacts from the Aurora Project; and the gambling tax rate should be reduced during the period of Aurora Project impacts; now therefore

THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Amendment in effect from August 1, 2006 to March 31, 2007. Shoreline Municipal Code section 3.30.020 is amended as follows for the period August 1, 2006 to March 31, 2007:

3.30.020 Imposed.

Pursuant to RCW 9.46.110 as the same now exists or may hereafter be amended, there is levied upon all persons, associations or organizations a tax on all gambling activities occurring within the city as permitted by state law at the following rates:

... [A- C unchanged]

D. All social card game rooms licensed under the provisions of RCW 9.46.030(1) and (4) at a rate equal to 9 10 percent of the annual gross receipts exceeding \$10,000.

Section 2. Amendment in effect after March 31, 2007. Shoreline Municipal Code section 3.30.020 is amended as follows effective April 1, 2007:

3.31.020 Imposed.

Pursuant to RCW 9.46.110 as the same now exists or may hereafter be amended, there is levied upon all persons, associations or organizations a tax on all gambling activities occurring within the city as permitted by state law at the following rates:

... [A- C unchanged]

D. All social card game rooms licensed under the provisions of RCW 9.46.030(1) and (4) at a rate equal to 10 9_ percent of the annual gross receipts exceeding \$10,000.

Section 3. Publication , Effective Dates. A summary of this ordinance consisting of its title shall be published in the official newspaper of the City. This ordinance shall take effect and be in full force from August 1, 2006.

PASSED BY THE CITY COUNCIL ON July 24, 2006.

Mayor Robert L.Ransom

ATTEST:

APPROVED AS TO FORM:

Scott Passey
City Clerk

Ian Sievers
City Attorney

Date of Publication:
Effective Date:

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CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Permanent Hazardous Tree Regulations: Ordinance No. 434
DEPARTMENT:	Planning and Development Services
PRESENTED BY:	Joseph W. Tovar, FAICP, Director Matthew Torpey, Planner II

PROBLEM/ISSUE STATEMENT:

On July 17, 2006 the Shoreline City Council postponed action on Ordinance No. 434 at the request of staff in order to allow written comments on the SEPA threshold determination to be received by the July 24 deadline.

The attached memorandum (Attachment A) outlines the changes incorporated into proposed Ordinance No. 434 (Attachment B) following deliberations at the July 10 Council meeting.

RECOMMENDATION

The Planning Commission recommends that Council approves Ordinance No. 434.

ATTACHMENTS


Attachment A: July 11, 2006 Tovar Memorandum to City Council

Attachment B: Ordinance No. 434

Attachment C: Tree Evaluation Form

Attachment D: July 17, 2006 Staff Report

Attachment E: July 10, 2006 Staff Report with Planning Commission Findings

Approved By: City Manager 

City Attorney 



Memorandum

DATE: July 11, 2006

TO: Shoreline City Council

FROM: Joseph W. Tovar, FAICP, Director of Planning and Development Services
Matthew Torpey, Planner II

RE: Hazard Tree Exemption, Ord. No. 434

During questions and deliberations for Ordinance No. 434 on July 10, 2006 members of the Shoreline City Council requested that staff provide Council with several changes to the draft ordinance as well as provide clarifying information associated with the staff report and ordinance.

Attached to this memorandum is a new draft of Ordinance No. 434 that includes two changes requested by members of the Council. The first change is the inclusion of a statement regarding "critical areas and their buffers". This information is included in the purpose statement of the draft ordinance (sub-item a.)

Another request by a Councilmember is to add a provision that allows for the non-hazardous portions of trees to remain as "snags" for wildlife habitat. Staff included this requirement in sub-item (i) of the ordinance and it reads as; "The arborist shall include an assessment of whether a portion of the tree suitable for a snag for wildlife habitat may safely be retained." Staff believes that this meets the intent of the Councilmember's request while allowing for an entire tree to be removed if the lower trunk portion of the tree remains hazardous. Additionally, a "check box" was added to the lower portion of the tree evaluation form (attached) so that the director or his/her designee can clearly indicate to the applicant and arborist that the remainder of the tree is to be converted to a "snag", if feasible.

Council requested that staff determine what the cost to an applicant would be for an evaluation of a hazardous tree. Planning and Development Services Staff placed calls to four local arborists. The cost for an arborist to come to the site, conduct an inspection of the tree in question and fill out a tree evaluation form ranges from \$110 to \$210 for the evaluation of one tree.

ORDINANCE NO. 434

**AN ORDINANCE OF THE CITY OF SHORELINE,
WASHINGTON AMENDING THE SHORELINE MUNICIPAL
CODE TO UPDATE REGULATIONS RELATING TO TREE
CUTTING, AMENDING SMC 20.50.310 REGARDING
EXEMPTIONS FROM PERMIT REQUIREMENTS FOR
HAZARDOUS TREES**

WHEREAS, the City of Shoreline is a jurisdiction planning under the Growth Management Act and is therefore subject to the goals and requirements of Chapter 36.70A. RCW during the preparation and adoption of development regulations, including those that pertain to the cutting of trees, whether or not those trees are in a critical area designated pursuant to RCW 36.70A.170; and

WHEREAS, the Shoreline City Council adopted Ordinance No. 407 on January 3, 2006 which placed a moratorium on the use and application of SMC 20.50.310.A.1 (hazardous vegetation exemption for clearing and grading permits on private property) and adopted interim regulations to govern hazardous tree abatement; and

WHEREAS, the Shoreline City Council conducted a public hearing on February 6, 2006 to hear comment on Ordinance No. 407, after which hearing the City Council adopted Ordinance No. 411, amending Ordinance No. 407 by adding "recreational trails" to the list of potential targets to be considered when evaluating requests to cut hazardous trees; and

WHEREAS, by its terms, Ordinance 407, as amended, would have expired on May 3, 2006; and

WHEREAS, the Shoreline City Council has directed the Director of the Department of Planning and Development Services (the Director) to work with various stakeholders and interested citizens in the preparation of proposed permanent regulations to deal not only with the subject of hazardous trees, but to create a regulatory mechanism for the City to consider and potentially authorize the limited cutting of trees for the purpose of view preservation; and

WHEREAS, the Director did communicate with and meet several times with individual citizens as well as stakeholder groups in order to hear their suggestions and concerns regarding the City's tree regulations; and

WHEREAS, in preparing the proposed permanent tree regulations, it became apparent to the Director that additional time would be necessary to circulate the proposal for public review and comment prior to a public hearing before the Shoreline Planning Commission; and

WHEREAS, the Shoreline City Council conducted a public hearing on April 10, 2006 on the subject of whether to extend for an additional two months the moratorium adopted by Ordinance 407, as amended, after which the City Council adopted Ordinance No. 422 to extend the effective date of the moratorium to July 3, 2006; and

WHEREAS, the Director broadly disseminated public notice of the availability for public review the proposed permanent tree regulations at City Hall and on the City's website, and likewise gave public notice of scheduled review and public hearings before the Shoreline Planning Commission; and

WHEREAS, the Shoreline City Council conducted a public hearing on June 26 2006 on the subject of whether to extend the moratorium adopted by Ordinance No. 407, as amended, after which the City Council adopted Ordinance No. 429 to extend the effective date of the moratorium to September 2, 2006

WHEREAS, the Shoreline Planning Commission conducted a study session workshop on the proposed permanent regulations on May 4, 2006 and conducted a public hearing on May 18, 2006 and June 1, 2006; after which the Commission forwarded a recommendation to the City Council;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Amendment. SMC 20.50.310. is hereby amended to read as follows:

20.50.310 Exemptions from permit.

A. Complete Exemptions. The following activities are exempt from the provisions of this subchapter and do not require a permit:

1. Emergency situation on private property involving danger to life or property or substantial fire hazards. ~~Any tree or vegetation which is an immediate threat to public health, safety, or welfare, or property may be removed without first obtaining a permit regardless of any other provision contained in this subchapter. If possible, trees should be evaluated prior to removal using the International Society of Arboriculture method, Hazard Tree Analysis for Urban Areas, in its most recent adopted form. The party removing the tree will contact the City regarding the emergency, if practicable, prior to removing the tree.~~
- a. Statement of Purpose – Retention of significant trees and vegetation is necessary in order to utilize natural systems to control surface water runoff, reduce erosion and associated water quality impacts, reduce the risk of floods and landslides, maintain fish and wildlife habitat and preserve the City's natural, wooded character. Nevertheless, when certain trees become unstable or damaged, they may constitute a

hazard requiring cutting in whole or part. Therefore, it is the purpose of this section to provide a reasonable and effective mechanism to minimize the risk to human health and property while preventing needless loss of healthy, significant trees and vegetation especially in critical areas and their buffers.

- b. For purposes of this section, "Director" means the Director of the Department of Planning and Development Services and his or her designee.
- c. In addition to other exemptions of Subchapter 5 of the Development Code, SMC 20.50.290-.370, a permit exemption request for the cutting of any tree that is an active and imminent hazard (i.e., an immediate threat to public health and safety) shall be granted if it is evaluated and authorized by the Director under the procedures and criteria set forth in this section.
- d. For trees that pose an active and imminent hazard to life or property, such as tree limbs or trunks that are demonstrably cracked, leaning toward overhead utility lines, or are uprooted by flooding, heavy winds or storm events, the Director may verbally authorize immediate abatement by any means necessary.
- e. For hazardous circumstances that are not active and imminent, such as suspected tree rot or diseased trees or less obvious structural wind damage to limbs or trunks, a permit exemption request form must be submitted by the property owner together with a risk assessment form. Both the permit exemption request form and risk assessment form shall be provided by the Director.
- f. The permit exemption request form shall include a grant of permission for the Director and/or his qualified professionals to enter the subject property to evaluate the circumstances. Attached to the permit exemption request form shall be a risk assessment form that documents the hazard and which must be signed by a certified arborist or professional forester.
- g. No permit exemption request shall be approved until the Director reviews the submitted forms and conducts a site visit. The Director may direct that a peer review of the request be performed at the applicant's cost, and may require that the subject tree(s) vegetation be cordoned off with yellow warning tape during the review of the request for exemption.
- h. Approval to cut or clear trees may only be given upon recommendation of the City approved arborist that the condition constitutes an actual threat to life or property in homes, private yards, buildings, public or private streets and driveways, sidewalks, recreational trails, improved utility corridors, or access for emergency vehicles and any trail as proposed by the property owner and approved by the Director for purposes of this section.
- i. The Director shall authorize only such alteration to existing trees and vegetation as may be necessary to eliminate the hazard and shall

condition authorization on means and methods of removal necessary to minimize environmental impacts, including replacement of any significant trees. The arborist shall include an assessment of whether a portion of the tree suitable for a snag for wildlife habitat may safely be retained. All work shall be done utilizing hand-held implements only, unless the property owner requests and the Director approves otherwise in writing. The Director may require that all or a portion of cut materials be left on-site.

2. Removal of trees and/or ground cover by the City and/or utility provider in situations involving immediate danger to life or property, substantial fire hazards, or interruption of services provided by a utility. The City retains the right to dispute the emergency and require that the party obtain a clearing permit and/or require that replacement trees be replanted as mitigation.
 3. Installation and regular maintenance of public utilities, under direction of the Director, except substation construction and installation or construction of utilities in parks or environmentally sensitive areas.
 4. Cemetery graves involving less than 50 cubic yards of excavation, and related fill per each cemetery plot.
 5. Removal of trees from property zoned RB and I, CB and NCBD, and NB and O, unless within a critical area of critical area buffer.
- B. Partial Exemptions. With the exception of the general requirements listed in SMC 20.50.300, the following are exempt from the provisions of this subchapter, provided the development activity does not occur in a critical area or critical area buffer. For those exemptions that refer to size or number, the thresholds are cumulative during a 36-month period for any given parcel:
1. The removal of up to six significant trees (see Chapter 20.20 SMC, Definitions) and associated removal of understory vegetation from any property.
 2. Landscape maintenance and alterations on any property that involves the clearing of less than 3,000 square feet, or less than 1,500 square feet if located in a critical drainage area, provided the tree removal threshold listed above is not exceeded.

Section 2. Repeal. Ordinance No. 429 extending a moratorium and interim controls on hazardous tree removal is repealed upon the effective date of this ordinance.

Section 3. Effective date. A summary of this ordinance consisting of its title shall be published in the official newspaper of the City and the ordinance shall take effect and be in full force five (5) days after the publication date.

APPROVED BY THE CITY COUNCIL THIS _____ DAY OF JULY, 2006.

Robert L. Ransom, Mayor

ATTEST:

APPROVED AS TO FORM:

Scott Passey, CMC
City Clerk

Ian Sievers
City Attorney

Date of Publication: July _____, 2006

Effective Date: _____, 2006



TREE EVALUATION FORM

All sections of this form must be fully completed by a certified arborist

Site/Address: _____
Map/Location: _____
Owner: public _____ private _____ unknown _____ other _____
Date: _____ Arborist: _____ ISA# _____
Arborist's Signature: _____

HAZARD RATING:

Failure Potential	+	Size of part	+	Target Rating	=	Hazard Rating
_____ Immediate action needed						
_____ Needs further inspection						
_____ Dead tree						

TREE CHARACTERISTICS

Tree #: _____ Species: _____
DBH: _____ # of trunks: _____ Height: _____ Spread: _____
Form: ☐ generally symmetric ☐ minor asymmetry ☐ major asymmetry ☐ stump sprout ☐ stag-headed
Crown Class: ☐ dominant ☐ co-dominant ☐ intermediate ☐ suppressed
Live crown ratio: _____% Age Class: ☐ young ☐ semi-mature ☐ mature ☐ over-mature/senescent
Pruning History: ☐ crown cleaned ☐ excessively thinned ☐ topped ☐ crown raised ☐ pollarded ☐ crown reduced ☐ flush cuts
☐ cabled/braced ☐ none ☐ multiple pruning events Approx. dates: _____
Special Value: ☐ specimen ☐ heritage/historic ☐ wildlife ☐ unusual ☐ street tree ☐ screen ☐ shade ☐ indigenous
☐ protected by gov. agency

TREE HEALTH

Foliage Cover: ☐ normal ☐ chronic ☐ necrotic Epicormics? Y N Growth obstructions
Foliage Density: ☐ normal ☐ sparse ☐ stakes ☐ wire/ties ☐ signs
Leaf size: ☐ normal ☐ small ☐ curb/pavement ☐ guards
Annual shoot growth: ☐ excellent ☐ average ☐ poor ☐ cables ☐ other _____
Twig Dieback? Y N
Woundwood development: ☐ excellent ☐ average ☐ poor ☐ none
Vigor class: ☐ excellent ☐ average ☐ fair ☐ poor
Major pests/diseases: _____

SITE CONDITIONS

Site character: ☐ residence ☐ commercial ☐ industrial ☐ park ☐ open space ☐ natural ☐ woodland/forest
Landscape type: ☐ parkway ☐ raised bed ☐ container ☐ mound ☐ lawn ☐ shrub border ☐ wind break
Irrigation: ☐ none ☐ adequate ☐ inadequate ☐ excessive ☐ trunk wetted
Recent site disturbance? Y N ☐ construction ☐ soil disturbance ☐ grade change ☐ line clearing ☐ site clearing
% dripline paved: 0% 10-25% 25-50% 50-75% 75-100% Pavement lifted? Y N
% dripline w/ fill soil: 0% 10-25% 25-50% 50-75% 75-100%
% dripline grade lowered: 0% 10-25% 25-50% 50-75% 75-100%
Soil problems: ☐ drainage ☐ shallow ☐ compacted ☐ droughty ☐ saline ☐ alkaline ☐ acidic ☐ small volume ☐ disease center
☐ history of fail ☐ clay ☐ expansive ☐ slope _____ ? aspect: _____
Obstructions: ☐ lights ☐ signage ☐ line-of-site ☐ view ☐ overhead lines ☐ underground utilities ☐ traffic ☐ adjacent veg.
Exposure to wind: ☐ single tree ☐ below canopy ☐ above canopy ☐ recently exposed ☐ windward, canopy edge
☐ area prone to windthrow
Prevailing wind direction: _____ Occurrence of snow/ice storms ☐ never ☐ seldom ☐ regularly

TARGET

Use Under Tree: ☐ building ☐ parking ☐ traffic ☐ pedestrian ☐ recreation ☐ landscape ☐ hardscape ☐ small features
☐ utility lines

Can target be moved? Y N Can use be restricted? Y N

Occupancy: ☐ occasional use ☐ intermittent use ☐ frequent use ☐ constant use

TREE DEFECTS

ROOT DEFECTS

Suspect root rot: Y N Mushroom/conk/bracket present: Y N ID: _____

Exposed roots: ☐ severe ☐ moderate ☐ low Undermined: ☐ severe ☐ moderate ☐ low

Root pruned: _____ Root area affected: _____ % Buttress wounded: Y N When: _____

Restricted root area: ☐ severe ☐ moderate ☐ low Potential for root failure: ☐ severe ☐ moderate ☐ low

LEAN: _____ Deg. From vertical ☐ natural ☐ unnatural ☐ self-corrected Soil heaving: Y N

Decay in plane of lean: Y N Roots broken: Y N Soil cracking: Y N

Compounding factors: _____ Lean severity: ☐ severe ☐ moderate ☐ low

CROWN DEFECTS: Indicate presence of individual defects and rate their severity (s=severe, m=moderate, l=low)

DEFECT	ROOT CROWN	TRUNK	SCAFFOLDS	BRANCHES

HAZARD RATING

Tree part most likely to fall: _____

Inspection period: ☐ annual ☐ biannual ☐ other

Failure Potential + Size of Part + Target Rating = Hazard Rating

_____ + _____ + _____ = _____

Failure potential: 1-low; 2-medium; 3-high; 4-severe

Size of part: 1 - <6" (15 cm); 2 - 6-18" (15-45 cm)

3 - 18-30" (45-75 cm); 4 - >30" (75 cm)

Target rating: 1 - occasional use; 2 - intermittent use;
3 - frequent use; 4 - constant use

HAZARD ABATEMENT

Prune: ☐ remove defective part ☐ reduce end weight ☐ crown clean ☐ thin ☐ raise canopy ☐ crown reduction ☐ restructure
☐ shape

Cable/Brace: _____ Inspect further: ☐ root crown ☐ decay ☐ aerial ☐ monitor

Remove tree: Y N Replace: Y N Move Target: Y N Other: _____ Effect on adjacent trees: ☐ none ☐ evaluate

Notification: ☐ owner ☐ manager ☐ Governing agency

Date: _____

APPROVAL

☐ Approval by Director of Planning & Development Services

☐ Denied by Director of Planning & Development Services

Reason: _____

☐ Leave tree trunk as snag

Signature: _____

Applicant Signature
(grants authority to enter onto property)

Date

WA State licensed Arborist

Date

Council Meeting Date: July 17, 2006**Agenda Item:** 6(d)

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Permanent Hazardous Tree Regulations: Ordinance 434
DEPARTMENT:	Planning and Development Services
PRESENTED BY:	Joseph W. Tovar, FAICP, Director Matthew Torpey, Planner II

PROBLEM/ISSUE STATEMENT:

On July 10, 2006 the Shoreline City Council heard public comment related to the Planning Commission's recommendation to adopt Ordinance No. 434. It is anticipated that the Council will conduct deliberations regarding the proposed ordinance and if necessary, ask questions of staff regarding the proposed code amendments.

Attached is the staff report from July 10. This document includes the Planning Commission Findings of Fact as well as a brief analysis of the existing (pre-moratorium) code language and the proposed code changes.

As the Council deliberations and decision making runs its course, should the Council choose to make amendments to the Planning Commission recommended draft, staff will make the proper adjustments to the code language and bring Ordinance No. 434 before the Council for final consideration on July 24, 2006.

FINANCIAL IMPACT:

There would be no financial impact to the City by adopting Ordinance No. 434.

RECOMMENDATION

The Planning Commission recommends that Council approves Ordinance No. 434.

ATTACHMENTS

Attachment A: July 10, 2006 Ordinance No. 434 Staff Report.

Approved By: City Manager  City Attorney ____

Council Meeting Date: July 10, 2006**Agenda Item:**

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Permanent Hazardous Tree Regulations: Ordinance 434
DEPARTMENT:	Planning and Development Services
PRESENTED BY:	Matthew Torpey, Planner II Joseph W. Tovar, FAICP, Director

PROBLEM/ISSUE STATEMENT:

The proposed Ordinance No. 434 repeals SMC 25.50.310.A.1 (Attachment A), which is the City's existing exemption from permit requirements for the cutting of hazardous trees. This text has been set aside since January 3, 2006 when the City Council adopted Ordinance No. 407 adopting a moratorium on this language. By that same ordinance, the City Council adopted interim controls that have been utilized during the period of moratorium. The City Council subsequently conducted a public hearing on the moratorium and interim controls, slightly amending the provisions of the critical areas regulations, and on April 10, 2006 adopted Ordinance No. 422 that extended the moratorium and interim controls to July 3, 2006. On June 26, 2006 the moratorium and interim controls were again extended to September 3, 2006 by Ordinance No. 429.

The proposed Ordinance adopts permanent regulations to replace the interim controls. The proposed permanent language is patterned on the language of the interim controls, but has been augmented with a "Statement of Purpose" section, definition of certain terms, and clarification of the procedures necessary for the City to evaluate and authorize the abatement of hazardous situations.

The provisions of the Ordinance apply to all properties in the City, including non-critical areas. However, because the code already allows property owners to entirely remove up to six healthy trees every 18 months per SMC 20.50.310.B, in most instances there would be no need for a property owner to invoke this exemption language for hazardous tree removal in non-critical areas. This text would come into play on non-critical area properties only if a property owner had reached the limit for cutting trees and was then faced with a hazardous tree situation.

FINANCIAL IMPACT:

There would be no financial impact to the City by adopting Ordinance No. 434.

PLANNING COMMISSION FINDINGS OF FACT:

On June 1, following the public hearing, the Planning Commission developed the following findings of fact:

- Some members of the public expressed support of the staff proposal, and some opposed it. Some indicated they would support the proposal if it had more stringent conditions for removal of a hazardous tree. Others indicated they would support it if it had less stringent conditions.
- The record supports the finding that removing hazardous trees has the potential to reduce hazards to human life, health and property.
- The record also supports the finding that cutting trees in steep slopes has the potential to reduce slope stability and possibly create a hazard to human life, health and property.
- The Director did communicate with and meet several times with individual citizens as well as stakeholder groups in order to hear their suggestions and concerns regarding the City's tree regulations.
- The Director broadly disseminated public notice of the availability for public review of the proposed permanent tree regulations at City Hall and on the City's website, and likewise gave public notice of scheduled review and public hearings before the Shoreline Planning Commission.
- Cutting trees anywhere in the City, inside or outside of critical areas, has the potential to degrade ecosystems and the natural environment and to alter the character of Shoreline and its treescape.
- The City of Shoreline has an obligation to develop regulations regarding tree cutting in critical areas.

The Planning Commission voted 8-1 to recommend the passage of Ordinance 434.

DISCUSSION:

The proposed code amendments, as recommended by the Planning Commission would institute several changes from the existing (pre-moratorium) hazard tree exemption. The existing hazardous tree exemption states that an applicant is to provide to a hazardous tree evaluation form and contact the City prior to tree removal, if practical. As written, there is no indication of what constitutes a hazard (i.e. target of the hazardous tree), nor is there a process that allows the City to review the proposed exemption. The proposed code amendments establish a list of targets that a tree would have to strike in order to determine whether the tree is hazardous. Additionally, the ordinance proposes provisions that allow for the Director to review the hazard tree evaluation form, conduct a site inspection, issue approval or denial of the exemption, and establish a list of City approved arborists.

The Planning Commission conducted a workshop and public hearings on May 4, May 18 and June 1, 2006 to solicit public comment on the staff proposed changes to the existing hazardous tree regulations. All three meetings were televised on the City's channel 21. During the written public comment period, the Planning Commission received 81 written comments and heard from 24 citizens during oral comment.

Many of the comments received were directed to the staff proposed Critical Areas Stewardship Plan, as opposed to the provisions for hazardous trees. The Planning Commission was unanimous in its recommendation for denial of the proposed Critical Area Stewardship Plan amendments. Accordingly, the staff has placed in abeyance the Critical Areas Stewardship Plan provisions and will review that matter with the Council later this summer. Note that the scope of the public hearing before Council on July 10 is the hazardous tree provisions described in Ordinance 434 **only** – no public comment on the Critical Areas Stewardship Plan is timely or appropriate on July 10.

Attachment B to this report includes the minutes from the three Planning Commission meetings where the hazardous tree issue was discussed. There was a great volume of public comment. The public and Planning Commission discussion involving the hazardous tree provisions are highlighted in Attachment B for ease of Council reading.

If Ordinance 434 is adopted by Council, two administrative steps would be required of implement the approved ordinance. First, the staff is directed by Subsections 1.e of the proposed code (SMC 20.50.310) to prepare a permit exemption request form and a risk assessment form. Second, Subsection 1.h of the proposed code (SMC 20.50.310) requires an applicant for a hazardous tree exemption to use a City approved arborist. Staff intends to utilize a "request for qualifications" process in order to solicit and select a list of arborists "acceptable to the City" to conduct reviews of hazardous trees. In the interim time between passage of the ordinance and the issuance of the approved arborist list, staff will utilize the City's on-call arborist, Brian Gilles. In addition to being an arborist, Mr. Gilles is also a professional forester.

RECOMMENDATION

The Planning Commission recommends that Council approves Ordinance No. 434.

ATTACHMENTS

Attachment A: Ordinance 434

Attachment B: Planning Commission minutes from May 4, May 18, and June 1, 2006

Approved By: City Manager _____ City Attorney _____