

CITY OF SHORELINE
SHORELINE CITY COUNCIL
SUMMARY MINUTES OF BUSINESS MEETING

Monday, April 14, 2008 - 7:30 PM
Shoreline Conference Center
Mt. Rainier Room

PRESENT: Mayor Ryu, Deputy Mayor Scott, Councilmember Eggen, Councilmember Hansen, Councilmember McConnell, Councilmember McGlashan, and Councilmember Way

ABSENT: None

1. CALL TO ORDER

At 7:34 p.m., the meeting was called to order by Mayor Ryu, who presided.

2. FLAG SALUTE/ROLL CALL

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

(a) Proclamation of Earth Day

Mayor Ryu read the proclamation declaring April 22, 2008 as Earth Day in Shoreline.

Anina Sill, Managing Librarian of the Richmond Beach Library, and Miriam Driss, Community Liaison of the Shoreline Library, accepted the proclamation and thanked the City for the recognition. They also shared a poem about the recycling program. Ms. Driss noted the month of May and June will feature ways to live more sustainably.

Mayor Ryu recognized State Representative Maralyn Chase in the audience.

3. CITY MANAGER'S REPORT

(a) Legislative Report by Senator Darlene Fairley

Bob Olander, City Manager, noted that Senator Darlene Fairley, Representative Maralyn Chase, and Representative Ruth Kagi provided a legislative report at the dinner meeting; however, Senator Fairley would not be providing a report this evening. He then provided reports and updates on various City projects, events, and meetings. He announced that the Washington State Transportation Improvement Board recognized the Aurora Corridor Project and Bridge in their

2007 Annual Report. He also announced that the City has received the Distinguished Budget Presentation Award from the Government Finance Office Association. He thanked City staff Steve Oleson and Susana Villamarin for their work.

4. REPORTS OF BOARDS AND COMMISSIONS

Councilmember Eggen reported on his attendance at three meetings this week: 1) a WRIA-8 presentation on attempts to aid Lake Washington homeowners make their shores more salmon-friendly; 2) Suburban Cities Association overview on housing and homelessness and disaster preparedness; and 3) Municipal Solid Waste Committee meeting regarding construction waste.

5. GENERAL PUBLIC COMMENT

a) LaNita Wacker, Shoreline, invited everyone to the dress rehearsal of the Seattle Shores Chorus at the Filipino-American Christian Church, 14800 1st Avenue NE, on April 18th at 6:30 p.m.

b) Warren Johnson, Shoreline, invited everyone to attend an interactive community meeting on April 16th at 7:00 p.m. at the Shimer Auditorium on the Crista Ministries campus regarding building community cooperation. He stated that Representative Ruth Kagi and King County Councilmember Bob Ferguson will speak.

c) Les Nelson, Shoreline, wanted to know when public hearings are required. He felt they should be advertised more so people can participate. He highlighted that there will be Code amendments discussed on April 21 to include the 2008 Comprehensive Plan amendments. He also noted that the SEPA review period ends on April 18.

d) Dwight Gibb, Shoreline, discussed Ordinance No. 478. He advocated for thinking in terms of systems instead of parts. He said the Aurora Corridor should be considered comprehensively as a system. He said Ordinance No. 478 changes the definition of community business density and affects one part of the corridor. He said Aurora Avenue could be seen as the center of the community.

Councilmember Hansen arrived at 7:55 p.m.

e) Rich Gustafson, Shoreline, commented that he and Dale Wright co-chair the organization known as Pro Shoreline, which is a non-partisan group that advocates for the overall community. He said the mission of the organization is to help residents achieve and maintain their vision for the City. He noted that one of the organization's main goals is to ensure the City of Shoreline maintains a strong city manager form of government. He felt that Councilmembers must understand their role as policymakers, and that the City Manager implements their policies.

Mr. Olander informed the Council and the public that sometimes public hearings are optional, which is the case for this meeting.

6. APPROVAL OF THE AGENDA

Councilmember Hansen moved approval of the agenda. Councilmember McGlashan seconded the motion, which carried 7-0 and the agenda was approved.

7. CONSENT CALENDAR

Councilmember Eggen moved approval of the Consent Calendar. Councilmember Hansen seconded the motion, which carried 7-0 and the following Consent items were approved:

(a) Minutes of Business Meeting of March 3, 2008

(b) Approval of expenses and payroll as of March 31, 2008 in the amount of \$1,071,000.86 as specified in the following detail:

***Payroll and Benefits:**

Payroll Period	Payment Date	EFT Numbers (EF)	Payroll Checks (PR)	Benefit Checks (AP)	Amount Paid
		23119-			
2/24/08-3/8/08	3/14/2008	23310	7416-7454	35801-35809	\$391,180.00
					<u>\$391,180.00</u>

***Accounts Payable Claims:**

Expense Register Dated	Check Number (Begin)	Check Number (End)	Amount Paid
3/12/2008	35673	35694	\$33,601.84
3/12/2008	35695	35700	\$73,815.90
3/13/2008	35701		\$1,689.22
3/13/2008	35019		(\$618.98)
3/13/2008	35702		\$13,475.14
3/13/2008	35703	35729	\$53,080.67
3/14/2008	35730	35738	\$34,525.75
3/17/2008	35739	35754	\$30,901.25
3/17/2008	31312		(\$4,000.00)
3/17/2008	35755		\$4,000.00
3/18/2008	35756		\$5,264.50
3/18/2008	35757	35778	\$80,540.45
3/20/2008	35779	35800	\$77,709.44
3/24/2008	35810	35824	\$61,433.52
3/26/2008	35825	35856	\$115,076.74
3/26/2008	35857	35874	\$69,102.61
3/27/2008	35875		\$2,908.30
3/31/2008	35876	35878	\$26,684.51
3/31/2008	35879		\$630.00
			<u>\$679,820.86</u>

(c) Ordinance No. 498 Amending the 2008 Budget for Uncompleted 2007 Capital And Operating Projects and Increasing Appropriations in the 2008 Budget

(d) Authorizing the City Manager to execute a contract with All Phase Communications, Inc. for the acquisition and installation of a new telephone system

(e) Authorizing the City Manager to award the Professional Service Contract with Vanir Construction Management, Inc. for Construction Management and Inspection Services

8. ACTION ITEM: PUBLIC HEARING

(a) Public Hearing to receive Citizens' comments on the proposed Shoreline Sustainability Strategy

Juniper Nammi, Associate Planner, joined by Rachael Markle, Assistant Planning and Development Services Director, presented the draft Sustainability Strategy. Ms. Nammi discussed the definition of environmental sustainability and what might be involved in following environmentally sustainable strategies. Ms. Nammi outlined the Strategy development process and the outcomes of the various meetings and discussions. She pointed out that the Strategy is a tool, or intermediate step in achieving overall change in the City. She stated that there are 50 specific recommendations in the Strategy with 10 key program strategies. She highlighted that implementation has already started through existing programs. She then read the 14 out of 50 recommendations that have been identified as priorities. She said the scheduled date for adoption of the Strategy by the Council is June 9, 2008.

Mayor Ryu opened the public hearing.

a) Steve Plush, member of the Lake Forest Park Stewardship Foundation, noted that he served on the Planning Commission and the City Council in Lake Forest Park in 2007. He applauded the City for incorporating many of the themes from the Sustainability Conference held last year. He discussed action step #7 and said it should be more focused and direct regarding storm water in this area. He added that there should be language in action step #8 concerning the protection of streams, salmon habitat, and wetlands as they relate to water quality improvement. Referring to action step #10, he said enhancing the urban forest is a good way to reduce the carbon footprint. He discussed tree protection and the impact of tree-cutting. He congratulated the City and hoped Lake Forest Park can adopt something similar.

b) Les Nelson, Shoreline, suggested implementing sustainability strategies in upcoming projects, especially in the transition between single family homes and development. He asked if it would be a part of the design review process. He concluded that he was encouraged to hear the City Manager discuss increasing the tree canopy in the City.

c) Dennis Lee, Shoreline, discussed sustainable development practices and said that trying to increase density without a plan is not sustainable. He said the Comprehensive Plan is very clear about the various impacts of increasing density. Now, he felt the City is trying to

change the agreement on a lot-by-lot basis without a plan. He stated that all of these land use items are connected. He said the City staff is trying to figure out a long term sustainability process and has to think "outside the box" to do it.

d) Larry Owens, Shoreline, complimented the Council and City staff for their wisdom and foresight in addressing sustainability and involving the public. He said this City has made great progress, and every day there is evidence of environmental and economic impacts. He suggested that the City Hall design include solar energy from the beginning in order to reduce annual operating costs. He concluded by announcing that the 5th Annual Shoreline Solar Fair will be held at Meridian Park Elementary School on July 18-19.

e) David Bowen, Shoreline, said these are great goals and a great plan, but the end result will be determined by how you implement it. He discussed energy and carbon impacts and wanted the City to attempt cottage housing again and have the design review work on it. He said the City should follow the lead of the City of Portland and provide incentives to developers.

Mr. Olander said the City staff is still accepting written comments and phone calls up until adoption of the Strategy in June.

There was Council consensus to leave the public hearing open for new testimony on this item until May 5, 2008.

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

(a) **Ordinance No. 497, rezoning the property located at 17562 12th Avenue NE from R-12 to R-24**

David Levitan, Associate Planner, joined by Rachael Markle, Assistant PDS Director, presented Ordinance No. 497, which rezones one property from R-12 to R-24. He described the property and surrounding zones, the Planning Commission recommendation, how the proposal meets the zoning criteria, and how the proposal is consistent with the high density Comprehensive Plan zone designation.

Councilmember Hansen moved adoption of Ordinance No. 497. Deputy Mayor Scott seconded the motion.

Councilmember Eggen noted that the City is increasing the amount of impervious surface from 75% to 85% with this rezone. He asked if there was any information on the soils or infiltration issues.

Mr. Levitan commented that a soils report wasn't prepared and the level and quality of development will be higher, but there are no set numbers concerning how the 10% increase will impact the area.

Mr. Olander added that a soils report doesn't happen at the rezone stage, but in the site development permit process. He noted that the development review engineer will analyze the

proposal for consistency with the code. Ms. Markle submitted that the process always starts with the question "does the property have adequate storm water detention?"

Mayor Ryu clarified that the rezoning comes to the Council, but the development review doesn't. She stated that maybe there needs to be some low impact development (LID) standards put in place at some point. Mr. Olander concurred and stated that updates are needed and are yet to come.

Councilmember Way stated that there is a letter and comments from neighbors that say there is flooding on the street because a storm drain was plugged up. She asked if drainage was discussed at the Planning Commission level. Mr. Levitan responded that it was factored into some of the discussion. He said the developer will have to meet Development Code standards, including those pertaining to frontage and drainage improvements. Mr. Levitan confirmed for Councilmember Way that the City would know what standards would apply when the property is vested.

Councilmember Eggen said he is curious about what might happen under the current Code. He inquired if there are standards in place for recycling in multi-family structures. Mr. Levitan responded that there are certain parts of the Code which deal with storage areas and recycling for multi-family residential.

Councilmember Eggen noted that the rezone is requiring two-car garages and asked if there are also standards for allowing reasonable-sized vehicles. Mr. Levitan responded that the City's standards seem to be stricter than the City of Seattle regarding 20-foot driveways, etc. He noted that there should be plenty of room for emergency vehicles, so reasonable-sized vehicles should also fit.

Councilmember Way asked if there is a possibility for a design review when this project comes forward. Ms. Markle noted that the City does have multi-family design standards and it is an administrative review process.

Councilmember Way discussed the parking management plan mentioned by Steve Cohn on page 86 and asked what the likelihood was of doing one for this project. Mr. Olander felt a parking management plan is not necessary for this size of project, but there are special cases when reductions from the standards occur that need such a plan.

Councilmember Way responded that this project is in same zone as the North City Business District (NCBD) and residents feel impacted by the development there. She said she doesn't want to set a precedent of imposing a parking plan on a small development when it is the larger business district that is having a problem. Mr. Olander responded that if it looks like North City is having significant parking problems, then the City will consider it.

Mayor Ryu wondered what the impact of increasing density would be. She wanted to know where residents would go for entertainment without using a car. Mr. Levitan noted that just south of the subject location is the YMCA and Tracy Owen park. He said there are plans to redevelop the YMCA, but he is not sure if the park will remain.

Mayor Ryu noted that if the park is eliminated, the nearest alternatives would be in the vicinity of 15th Avenue NE. She wondered if there would be a “third place” within walking distance. Ms. Markle highlighted that the Hotwire Café, the Shoreline Library, and Hamlin Park are in proximity to this property.

Councilmember Hansen expressed support for the Ordinance. He was concerned, however, that this creates an R-24 zone adjacent to an R-6 zone which backs up to the NCBD. He said that is the area where the City should be putting in higher density, so perhaps the whole area should be considered for a zoning change instead of just one site. Mr. Levitan responded that the applicant initiated this action, but City can initiate a rezone for a larger portion too.

Regarding alternatives to driving, Councilmember Way asked if there was any connectivity across the block to 15th through Tracy Owen Park. Mr. Levitan responded that there weren't because the area slopes downward and crosses private property.

Councilmember Way inquired if there was a Comprehensive Plan element. She said the City should provide connectivity and perhaps the City can work with the private owner of the park.

Councilmember McConnell stated that there is no access and there would need to be an easement. Additionally, the current applicant has already encouraged making the units smaller and thereby more affordable.

Councilmember McGlashan commented that all those other properties are high density in the Comprehensive Plan.

Mr. Olander communicated that the City can do area-wide rezones, but they have been very controversial in the past. He said a City-initiated rezone to bring the zoning closer to the Comprehensive Plan is generally good, but time-consuming.

Mayor Ryu supported the Ordinance because it is next to the NCBD and it is serving as sort of a transition zone. She said she is glad the City staff will be looking at parking access and design standards.

A vote was taken on the motion to adopt Ordinance No. 497, rezoning the property located at 17562 12th Avenue NE from R-12 to R-24, which carried 7-0.

RECESS

At 9:08 p.m. Mayor Ryu called for a five minute recess. Mayor Ryu reconvened the meeting at 9:15 p.m.

(b) Ordinance No. 499, rezoning the properties located at 16520, 16522, 16526, 16532 and 16538 Linden Avenue North from R-8 to R-24, File No. 201699

Steve Szafran, Planner, joined by Rachael Markle, Assistant PDS Director, outlined the proposal to change the zoning of five contiguous parcels from R-8 to R-24. He noted that the Comprehensive Plan designation surrounding the area is Mixed Use (MU) and he displayed pictures of the neighboring residences. He explained how the proposal meets zoning criteria and that the Planning Commission recommended R-24 instead of R-48 because of potential traffic impacts and density considerations.

Councilmember Hansen moved adoption of Ordinance No. 499. Deputy Mayor Scott seconded the motion.

Councilmember Hansen thought it would be good to have higher density at this location. He said there is access to the playfield and agreed with the Planning Commission recommendation to lower the zoning to R-24 because there is R-6 next to it.

Mayor Ryu inquired if she needed to recuse herself because she is familiar with one of the applicants. Mr. Sievers said it is not necessary because she didn't have a close social relationship that would disqualify her under the Appearance of Fairness Act.

Councilmember Way suggested changing the zoning to R-24 but keeping it designated as MU. She noted that page 98 highlights Comprehensive Plan land use designations and MU encourages pedestrian-oriented places with a wide variety of retail/service/residential uses. She asked how zoning it R-24 with no office or business usage complies with the Comprehensive Plan designation.

Mr. Szafran responded that MU can be looked at providing no guidance at all, because it allows anything. He felt multi-family housing with a modest increase in density would provide a better transition area. Ms. Markle added that the City gets a mix of uses with a proposal like this and the Comprehensive Plan doesn't say that there has to be a mix of uses. Mr. Olander noted that it actually says R-24 and R-48 are allowed within the MU zone.

Councilmember Way discussed the drainage issue, which was noted on page 102. She wanted to know what the City is doing regarding this. Mr. Szafran explained that the Surface Water department will be making drainage improvements in the area. He said that within a year there will be a pipe installed on the east side of the subject properties.

Councilmember Hansen discussed the recusal rules and suggested that Council review them. He felt the Mayor, from what she explained, has no issues regarding appearance of fairness and this application. He noted that if they did they would be required to leave table. Mr. Sievers responded that he is correct. Councilmember Ryu asked if any Councilmembers had any ex-parte communications, to which no one responded affirmatively.

Mayor Ryu referred to page 89 and clarified that there were four options open to the Council. Mr. Olander added that the Council can consider decreasing the density proposal.

Councilmember Way inquired about Transportation Goals on page 101. She again stated that a letter from a neighbor expressed concerns about traffic and parking and page 111 of the report

states that 25 new afternoon and evening trips will be generated which is an 11% increase. However, the report said that no significant impacts would result due to the proposed change in the zoning. She asked how the traffic can increase without any impacts.

Mr. Olander advised against looking at percentage increases because residential streets can handle thousands of cars and the overall capacity of minor residential street is significantly higher. He said it is impossible to have higher densities without some traffic impacts. However, this area has good access to major arterials so traffic will not likely be a problem.

Councilmember Way wanted to know the impacts on the park. Mr. Szafran noted that this applicant is required to provide sidewalks on the frontage.

Councilmember Way expressed concern about potential criminal activity and the safety of pedestrians and kids in the park. She asked if there was any way to mitigate the proposal to provide sidewalks on the other side of street. Mr. Olander responded that there is a limited amount of funding for sidewalks. They are prioritized by schools, parks, and for completed sections of sidewalks that are intermittent.

Councilmember Way stated that a parking management plan would be good thing for this area.

Councilmember Eggen noted that people push the parking out into the street in his neighborhood on 12th Avenue NE. He commented that sidewalks should be constructed right up to the property lines.

Councilmember McGlashan questioned if having permitted parking was introduced for 165th Street to 173rd Street because the area one block south of the school is heavily impacted. Mr. Szafran responded that he wasn't aware of any parking permit proposals.

Mayor Ryu commented that Commissioners Kuboi and Hall wanted to rezone this to R-48. She noted that on page 120 a resident stated that if the City rezones it to R-48, he could build underground parking. Mr. Szafran stated the City doesn't have any plans to rezone the area.

Councilmember Way opposed the Ordinance because of traffic issues and pedestrian safety.

A vote was taken on the motion to adopt Ordinance No. 499, rezoning the properties located at 16520, 16522, 16526, 16532, and 16538 Linden Avenue N. from R-8 to R-24, which carried 6-1, with Councilmember Way dissenting.

(c) Ordinance No. 478, Amendments to the Development Code, Section 20.50.020; Residential Density in CB zones, affecting properties located in the Town Center Study Area and along Ballinger Way

Steve Szafran, joined by Steven Cohn, provided background on the proposal to amend the Municipal Code to change the densities and dimensions for residential development in non-residential zones. He stated that the Planning Commission recommendation imposed four conditions on the Code changes.

Mayor Ryu called for public comment.

a) Michelle Cable, Seattle, stated that the amendment provides the opportunity to develop affordable housing in both corridors. She said it implements the Comprehensive Plan, Council Goals, and the Housing Strategy recommendations. She read the Housing Strategy goals. She said the City of Shoreline must take steps to increase densities in places where it can reasonably handle it.

Councilmember Way asked Ms. Cable if she supported the amendment concerning ground floor commercial occupancy. Ms. Cable responded that she did not because it precludes affordable housing and makes the property difficult to sell to a tenant.

b) Les Nelson, Shoreline, said this is a backwards process. He said this is removing the cap in Community Business (CB) standards, which is a substantial change. He said the community understands that CB has an R-48 density cap. He said the City should rezone to a zone identified in the Comprehensive Plan and the SEPA documents. He felt the process is flawed in the Planning Commission because there was no discussion about what was included in Ballinger.

c) Dennis Lee, Shoreline, commented that a "spot rezone" is a quasi-judicial action, which is what this amounts to. He discussed traffic impacts and the 2005 Comprehensive Plan. He said as you spot rezone and change Comprehensive Plan, you trigger a complete study of the traffic and the environmental impact statement. He asked if there was any plan to decide where the threshold is in the future.

d) Jim Abbott, Shoreline, commented that this ordinance has been before the Planning Commission on five different occasions, before the Council three times, and has had a unanimous Planning Commission vote. He said it has been thoroughly examined and there are some additional criteria on page 128 which he supported. He said what's happening here with CB is not changing zoning or heights, setbacks, or parking requirements because this property is not in a single-family neighborhood. The property is close to the Aurora Corridor and business services. He said it addresses zoning that allows a certain bulk and height and only pertains to how many units can be included within the "box." He said the area would be allowed to have smaller units, which would provide affordable housing. He ended by reading a letter from Ironwood Investments.

Mr. Abbott responded to Deputy Mayor Scott and stated he supported MU and to Councilmember Way stating he supported commercial ground floor use.

e) Stan Terry, Shoreline, felt this is one of the most sensible changes to the Development Code that provides an opportunity for more affordable housing. He added that it has a minimal impact on single family neighborhoods, will lead to more people utilizing public transit, and helps "get people out of cars."

Councilmember Hansen moved adoption of Ordinance No. 478. Deputy Mayor Scott seconded the motion.

Councilmember McGlashan pointed out a correction on page 147 in that no application to rezone to Residential Business (RB) ever came from the James Alan Salon.

Deputy Mayor Scott asked Mr. Olander to address the issue of how these gradual impacts will impact the visioning of the Comprehensive Plan.

Mr. Olander clarified that they will have cumulative impacts on traffic. However, when the Comprehensive Plan is done they look at the maximum potential for growth. He explained that the City's 20-year plan gets implemented through the six-year Capital Improvement Program (CIP) and there are set points where the City is required to update the transportation plan and the land use plan. At that point the Council, he concluded, has the option to determine what they want to see in the plans.

Councilmember McGlashan moved to amend the Planning Commission recommended exemption to Table 20.50.020(2) as follows: "Properties shall include ground floor commercial uses and/or affordable housing." Deputy Mayor Scott seconded the motion. Councilmember McGlashan said there are people who feel there is not much need for retail; therefore, he felt there should be a way to make housing more affordable.

Councilmember Eggen moved to further amend the language by inserting the following: "For this purpose, affordable housing is defined as 20% of the available units reserved for residents meeting 80% of the average median income (AMI)." Mayor Ryu seconded the motion.

Mr. Olander supported the Planning Commission recommendation. He advised against the amendment because the City needs to protect commercial spaces on the City's busiest corridors.

Mayor Ryu opposed the initial amendment. She stated that most of the CB zones are within two blocks of Aurora Avenue and are already at R-48. She did not agree that there should be residential property only when they have the capacity for commercial and retail.

Councilmember Eggen explained that the purpose of the motion was that if the amendment were to pass he would like it to be substantial. He felt it would be premature to give up on commercial in these areas, but if a commercial lease is not obtained, the usage should be worth it.

Councilmember Way felt this legislation was premature and she was uncomfortable voting on it.

Councilmember Way moved to table this item to the May 12 City Council meeting. Deputy Mayor Scott seconded the motion, which carried 4-2, with Councilmembers Hansen and McConnell dissenting and Councilmember McGlashan abstaining.

10. ADJOURNMENT

Scott Passey, City Clerk