

AGENDA

REGULAR MEETING DES MOINES CITY COUNCIL 21630 11th Avenue South, Des Moines, City Council Chambers

March 28, 2013 - 7:00 p.m.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

CORRESPONDENCE

COMMENTS FROM THE PUBLIC

BOARD & COMMITTEE REPORTS/COUNCILMEMBER COMMENTS

PRESIDING OFFICER'S REPORT

ADMINISTRATION REPORTS

CONSENT CALENDAR

Page 1 Item 1: APPROVAL OF MINUTES

Motion is to approve the minutes of the March 7, 2013 City Council Meeting.

Page 5 Item 2: APPROVAL OF VOUCHERS

Motion is to approve for payment vouchers and payroll transfers included in the above list and further described as follows:

Claim checks \$851,183.02

Payroll fund transfers in the total amount of \$815,120.36

Total certified Wire Transfers, Voids, A/P & Payroll vouchers are \$1,666,303.38

Page 7 Item 3: MEMORANDUM OF UNDERSTANDING WITH THE NATIONAL RECREATION AND PARK ASSOCIATION (NRPA) TO ACCEPT GRANT FUNDS

Motion is to approve the Memorandum of Understanding (MOU) between the City of Des Moines and the National Recreation and Park Association to accept \$6,264 funds for the Grow Your Park Program and to authorize the City Manager to sign the MOU substantially in the form as attached.

Page 13 Item 4: APPOINTMENT OF CLAIMS FOR DAMAGES ACCEPTANCE AGENTS

Motion is to adopt Draft Resolution No. 13-059 appointing Acceptance Agents for Claims for Damages filed against the City pursuant to chapter 4.96 RCW.

Page 19 Item 5: MAYORAL APPOINTMENT OF CARRI LITOWITZ TO LIBRARY BOARD

Motion is to confirm the Mayoral appointment of Carri Litowitz to the Des Moines Library Board effective immediately, to fill one vacant three year term, which will expire on December 31, 2015.

OLD BUSINESS

Page 23 1. DRAFT ORDINANCE NO. 13-002 INSTITUTIONAL CAMPUS ZONING RECLASSIFICATION
Staff Presentation: Acting Director of Community Development
Denise Lathrop

NEW BUSINESS

Page 55 1. LINK LIGHT RAIL ALTERNATIVES ANALYSIS UPDATE
Staff Presentation: Management Consultant Grant Fredricks

NEXT MEETING DATE

April 4, 2013 City Council Study Session

ADJOURNMENT

MINUTES

**REGULAR MEETING
DES MOINES CITY COUNCIL
21630 11th Avenue South, Des Moines, City Council Chambers**

March 7, 2013 - 7:00 p.m.

CALL TO ORDER

Mayor Kaplan called the meeting to order at 7:01 p.m.

PLEDGE OF ALLEGIANCE

The flag salute was led by Councilmember Musser.

ROLL CALL

Present were Mayor Kaplan; Mayor Pro Tem Pina; Councilmembers Melissa Musser, Jeanette Burrage, Bob Sheckler, and Carmen Scott.

Councilmember Caldwell was absent.

Mayor Pro Tem Pina moved to excuse Councilmember Caldwell, seconded by Councilmember Musser.

The motion passed 6-0.

Staffs present were City Manager Tony Piasecki; City Attorney Pat Bosmans; Acting Director of Community Development Denise Lathrop; City Clerk Bonnie Wilkins.

CORRESPONDENCE

There was no correspondence.

COMMENTS FROM THE PUBLIC

Kathleen Southwick, Crisis Clinic, Executive Director. Updated Council with Crisis Clinic statistics for 2012 and wanted to thank Council for their continued support.

BOARD & COMMITTEE REPORTS/COUNCILMEMBER COMMENTS

Councilmember Scott:

- Des Moines Historical Society; inventory of homes older than World War II.

Mayor Pro Tem Pina:

- March 6, Sound Cities Association Public Issues Committee:
 - Solid waste transfer station location.
 - House Bill 1959, Transportation Vehicle Tax; not a lot of strength behind it in Olympia.
 - Regional Tolling; discuss at a future meeting.
 - Hotel/Motel Tax; allocation of funds starting in June.
 - King County Metro; developing a strategic plan for bus service.
- Public Safety & Transportation Committee Meeting was well attended by staff and community. Agenda items were:
 - North Hill Traffic Circle.
 - LED Streetlight conversion opportunities.
 - Proposition 1 on August ballot.
 - Surface Water Management Rate Study; early summer as target date to have it completed.

Councilmember Musser:

- Congratulated Mount Rainier girls basketball team placing 3rd in State.
- Sports Night, Saturday, March 23, 2013 at the Des Moines Field House. Proceeds to help underprivileged youth participate in recreation activities.

No report from Councilmembers Sheckler and Burrage.

PRESIDING OFFICER'S REPORT

- Attended the Poverty Bay Wine Festival, held at the Landmark on the Sound.
- Acknowledged the 12th Anniversary death of Officer Steven J. Underwood.

ADMINISTRATION REPORTS

- Port of Seattle received proposals for development of the Des Moines Creek Business Park from:
 - Majestic Realty
 - Panattoni
 - Sabey
 - Hillwood

CONSENT CALENDAR

Item 1: ARTS COMMISSION APPOINTMENT

Motion is to confirm the Mayoral appointment of Florence McMullin to the Des Moines Arts Commission effective immediately, to fill a vacant three year term which will expire on December 31, 2015.

Direction/Action

Motion made by Councilmember Musser to approve the consent agenda, seconded by Councilmember Scott.

The motion passed 6-0.

PUBLIC HEARING

1. DRAFT ORDINANCE NO. 13-002, INSTITUTIONAL CAMPUS ZONING RECLASSIFICATION
Staff Presentation: Acting Director of Community Development
Denise Lathrop

Mayor Kaplan opened the Public Hearing at 7:19 p.m.

Acting Director of Community Development, Denise Lathrop, gave a brief power point presentation related to Institutional Campus Zoning Reclassification, showing the affected properties and proposed zoning.

Mayor Kaplan called for those who signed up to speak.

Joan Ipsen – 829 S 234th Place, Des Moines WA

- Wanted to know how the Zoning Reclassification would affect her property.

Mayor Kaplan called three times asking if anyone else wished to speak.

Seeing no other speakers, Mayor Kaplan asked Staff for clarification of comments:

- When there is Land Use action, staff notifies all property owners, within 300 feet of each of the proposed properties to be re-designated, to ensure that homeowners are aware of the proposed change.

Mayor Kaplan closed the public hearing at 7:28 p.m.

Direction/Action

Motion made by Councilmember Sheckler to pass Draft Ordinance 13-002 amending DMMC 18.80.010 modifying the official zoning map of the City of Des Moines to a second reading for enactment on the next available consent calendar, seconded by Mayor Pro Tem Pina. The motion passed 6-0.

Mayor Kaplan read Ordinance No. 13-002 into the record.

ADJOURNMENT

Motion made by Mayor Pro Tem Pina to adjourn, seconded by Councilmember Musser. The motion passed 6-0.

The meeting was adjourned at 7:30 p.m.

NEXT MEETING DATE

March 14, 2013 Regular City Council Meeting

CITY OF DES MOINES
Voucher Certification Approval
28-Mar-13
Auditing Officer Certification

Vouchers and Payroll transfers audited and certified by the auditing officer as required by RCW 42.24.080, and those expense reimbursement claims certified as required by RCW 42.24.090, have been recorded on a listing, which has been made available to the City Council.

As of March 28, 2013 the Des Moines City Council, by unanimous vote, does approve for payment those vouchers and payroll transfers included in the attached list and further described as follows:

The vouchers below have been reviewed and certified by individual departments and the City of Des Moines Auditing Officer.

Claims Vouchers:		Numbers				Amounts
Total A/P Checks/Vouchers		135129	-	135472	344	818,733.10
Electronic Wire Transfers	5	DEPT OF REV, KEYBANK MSTRCRD, BANK OF AM VISA				32,639.92
Subtotal for this Council Packet						851,373.02
Voided Claim Checks this check run:						0.00
Voided Claim Checks from previous check runs		134851			1	(190.00)
Total Claims/Wire Transfers/Voids					350	851,183.02

Payroll Vouchers:	DISBURSED 03/05/13					Amounts
Payroll Checks	18101	-	18116	=	16	15,561.10
Direct Deposit	90001	-	90137	=	137	254,725.49
Payroll Taxes						54,050.68
Wage/Garnishments						744.07
Voids					0	0.00
Electronic Wire Transfers						83,147.17
ICMA 401 Forfeitures						0.00
Total Claims						408,228.51

Payroll Vouchers:	DISBURSED 03/20/13					Amounts
Payroll Checks	18117	-	18131	=	15	14,208.61
Direct Deposit	120001	-	120130	=	130	257,004.20
Payroll Taxes						54,454.07
Wage/Garnishments						744.07
Voids					0	0.00
Electronic Wire Transfers						80,480.90
ICMA 401 Forfeitures						0.00
Total Claims						406,891.85
Total certified Wire Transfers,Voids, A/P & Payroll vouchers for March 28, 2013						1,666,303.38

A G E N D A I T E M

BUSINESS OF THE CITY COUNCIL City of Des Moines, WA

SUBJECT: Memorandum of Understanding with
the National Recreation and Park Association
(NRPA)

ATTACHMENTS:

NRPA Memorandum of Understanding

FOR AGENDA OF: March 28, 2013

DEPT. OF ORIGIN: Parks, Recreation and Senior
Services

DATE SUBMITTED: March 14, 2013

CLEARANCES:

☒ Legal NA

☐ Finance NA

☐ Marina NA

☒ Parks, Recreation & Senior Services NA

☐ Planning, Building & Public Works NA

☐ Police NA

☐ Courts NA

APPROVED BY CITY MANAGER
FOR SUBMITTAL: 

Purpose and Recommendation

The purpose of this agenda item is request City Council authorization to accept a NRPA grant.

Suggested Motion

First Motion: "I move to approve the Memorandum of Understanding (MOU) between the City of Des Moines and the National Recreation and Park Association to accept \$6,264 funds for the Grow Your Park Program and to authorize the City Manager to sign the MOU substantially in the form as attached."

Background

Sonju Community Garden, created in 2011, is located in Sonju Park. The garden includes 22 pea patches (rented to local gardeners for a small annual fee), three senior-accessible raised beds, and several community growing areas. Sonju Park itself is a 9.3 acre wooded property donated to the City of Des Moines in 1996 by Daisy Sonju and her family.

Management, maintenance and harvesting of the community garden and orchard is handled entirely by Friends of Sonju Park, a 100% volunteer organization. The organization's budget comes entirely from

donations (cash and in-kind) under the nonprofit sponsorship of both the Des Moines Parks, Recreation and Senior Services Department and the Des Moines Legacy Foundation.

The vision of the Daisy Sonju Community Garden is to provide a place to learn about and to grow fresh, organic fruits and vegetables for our community, delivered primarily through donations to the Des Moines Area Food Bank.

Grant funding was made available by the National Recreation and Park Association in collaboration with the Darden Restaurants Foundation for the construction, refurbishment or improvement of community gardens located in public parks and lands through the Grow Your Park Program.

The City of Des Moines Parks, Recreation and Senior Services Department submitted a grant on behalf of the Friends of Sonju Park and the Des Moines Area Food Bank to provide funding for the improvements needed to meet their 2013 goals. The project was selected by NRPA to receive \$6,264 funding.

Discussion

The purpose of the Memorandum of Understanding is for the acceptance and use of NRPA funds made available to the Daisy Sonju Community Garden at Sonju Park for the following projects:

1. Purchase of a new fiberglass greenhouse- A greenhouse will allow the community garden to start its own plants, as the local growing season is not warm enough or long enough for many warm-season plants to grow from seed. In addition, the greenhouse will enable community gardeners to provide plant starts for low-income families for distribution through the Des Moines Area Food Bank.

- a. Purchase supplies for greenhouse- Benches, tools, seeds and seed-starting soil will be purchased to make the greenhouse operational.

- b. Provide irrigation for the greenhouse- Irrigation will be extended from the existing line to the greenhouse.

2. Provide funds for Certified Arborist Pruning- The majority of the existing 2-acre community garden is made up of an orchard, approximately 50-years old, that has long been overgrown. Trees and undergrowth have been cleared over the past year but the height and condition of the existing apple trees creates a dangerous situation for volunteers trying to prune them. Proper pruning is essential to preserving these trees (varieties have not been identified but could be heritage). Consequently, we will bring in a certified arborist to prune five or more existing trees. Thereafter, we will plant miniature varieties that are easier for volunteers to maintain and harvest.

- a. Purchase orchard pruning tools- As the new trees grow and the existing ones are pruned to more reasonable size, we will need to continue annual maintenance to ensure maximum fruit. Funds will be used to purchase loppers, pruning shears, a utility cart and an orchard ladder.

- b. Purchase blueberry bushes for the orchard- The orchard has a low-lying area that stays wet for most of the year. With a Tacoma community blueberry park as our inspiration, we would like to introduce this specific fruit into our community garden orchard.

3. Community Outreach-Because the community garden is still relatively new to Des Moines, funds will be used to engage community members in order to educate them on the existence of the garden, to involve them in further development of the garden, and to promote educational opportunities centered around gardening and nutrition education, especially activities that might engage children from the nearby Parkside Elementary School.

Alternatives

Approve the MOU Between The City Of Des Moines and National Recreation and Park Association.

Don't approve the MOU between the City Of Des Moines and National Recreation and Park Association.

Financial Impact

The Daisy Sonju Community Garden is managed by volunteer Kim Richmond and the Friends of Sonju Park. Minimal City funds are required to maintain the garden such as the use of water and a container for landscape debris. Upon execution of the MOU, NRPA will send the City a check in the amount of \$6,264. No matching funds are required. The City's 2013 General Fund Budget would be amended to include the funds both as an expense and as revenue.

Recommendation or Conclusion

Staff recommends approval of the Memorandum of Understanding between the City of Des Moines and National Recreation and Park Association.

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (MOU), issued March 11, 2013, is made between the **National Recreation and Park Association**, a Virginia-based not-for-profit 501(c)3 with a mailing address of 22377 Belmont Ridge Road, Ashburn, Virginia, 20148 (hereinafter referred to as **NRPA**) and **City of Des Moines Parks, Recreation and Senior Services**, a provider of park, recreation, or community services in Des Moines, Washington (hereinafter referred to as **Grantee**).

1. Purpose

The purpose of this MOU is to confirm approval of the terms governing the acceptance and use of funds made available to qualifying organizations for the construction, refurbishment or improvement of community gardens located in public parks and lands through the Grow Your Park program.

In collaboration with the Darden Restaurants Foundation, NRPA is managing the 2013 Grow Your Park program, including administration of this grant program. Having been selected as a recipient of funding through this program, Grantee is required to accept the terms contained within this MOU in order to receive funding as a grant recipient.

2. Project Funding

- A. Upon execution of this MOU, NRPA will send Grantee a check in the amount of **\$6,264**. These funds will be distributed by NRPA. No matching funds are required.
- B. Execution of this MOU is required within 30 days of the issue date above or the funds may be withheld.

3. Project Requirements

Grantee will:

- A. Promote receipt of grant and success of funded project through social media.
- B. Submit grant reports and photos to NRPA as requested.
- C. Host, if requested, a half-day site visit by NRPA staff.
- D. Donate or make available a portion of produce grown in the community garden at no cost to low-income individuals/families.
- E. Submit data required for completion of NRPA's online agency survey tool, PRORAGIS (QuickStart, Lite, or Full versions). Required only of park and recreation agency grantees.

4. Release

NRPA and the Darden Restaurants Foundation may use the Grantee and/or the Park name, photos, and/or information in connection with the project for promotional or other purposes, in any and all media, without limitation and without further payment, notification, or permission, except where prohibited by law.

To the extent permitted by law, Grantee agrees to release and hold harmless the National Recreation and Park Association, the Darden Restaurants Foundation, their respective parents, subsidiaries, affiliates, and agents, and any agencies or other companies involved in the development or execution of this program from and against any claim or cause of action arising out of participation in this program or receipt, use or misuse of any funds provided through this program.

5. Term

This MOU shall become effective on the date of execution and shall continue until December 31, 2013.

These parties have caused this MOU to be signed by their duly authorized representatives as of the date set forth below.

**NATIONAL RECREATION AND
PARK ASSOCIATION**

**CITY OF DES MOINES PARKS, RECREATION AND
SENIOR SERVICES**

By: _____
 Printed Name: _____
 Title: _____
 Date: _____

By: _____
 Printed Name: _____
 Title: _____
 Date: _____

A G E N D A I T E M

BUSINESS OF THE CITY COUNCIL City of Des Moines, WA

SUBJECT: Appointment of Claims for Damages
Acceptance Agents

FOR AGENDA OF: March 28, 2013

ATTACHMENTS:

1. Draft Resolution No. 13-059

DEPT. OF ORIGIN: Legal

DATE SUBMITTED: March 15, 2013

CLEARANCES:

- [X] Legal PB
 [] Finance N/A
 [] Marina N/A
 [] Parks, Recreation & Senior Services N/A
 [] Planning, Building & Public Works N/A
 [] Police N/A
 [] Courts N/A

APPROVED BY CITY MANAGER
FOR SUBMITTAL 

Purpose and Recommendation

It is recommended that the City Council pass Draft Resolution No. 13-059 appointing Acceptance Agents to receive Claims for Damages filed with the City. The following will appear on the consent calendar of March 28, 2013.

Suggested Motion

Motion: "I move to adopt Draft Resolution No. 13-059 appointing Acceptance Agents for Claims for Damages filed against the City pursuant to chapter 49.60 RCW."

Background

RCW 4.96.020 sets forth the procedures for accepting Claims for Damages arising out of the tortuous conduct of local government entities and their agents. RCW 4.96.020(2) requires governing bodies of local governmental entities to identify an Acceptance Agent and the address where the Agent may be reached during normal business hours.

Discussion

Resolution No. 1149 appointed our former City Clerk and former Executive Assistant as Acceptance Agents for Claims for Damages. Since they have both retired, the City needs to make new

appointments. Draft Resolution No. 13-059 appoints the current City Clerk as the Acceptance Agent for the City, along with two alternates to act as Interim Acceptance Agents when the Acceptance Agent is not available; and directs the City Clerk to record a certified copy of this Resolution with the King County Recorder's Office.

Alternatives

None. This is a requirement of chapter 4.96 RCW.

Financial Impact

None.

Concurrence

Administration and the Legal Department approve this Resolution.

CITY ATTORNEY'S FIRST DRAFT 03/13/13

DRAFT RESOLUTION NO. 13-059

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DES MOINES, WASHINGTON, relating to Claims for Damages, appointing Acceptance Agents for Claim for Damages filed against the City pursuant to chapter 4.96 RCW, and superseding Resolution No. 1149.

WHEREAS, chapter 4.96 RCW sets forth the procedures for presenting Claims for Damages arising out of the tortuous conduct of local governmental entities, including cities, or the tortuous conduct of their past or present officers, employees or volunteers while performing or in good faith purporting to perform their official duties, and

WHEREAS, RCW 4.96.020 requires local governmental entities to appoint an agent to receive any Claims for Damages made under chapter 4.96 RCW, and

WHEREAS, Des Moines Resolution No. 1149, passed by the City Council on March 10, 2011, appointing Acceptance Agents for Claims for Damages, requires updating; now therefore,

THE CITY COUNCIL OF THE CITY OF DES MOINES RESOLVES AS FOLLOWS:

Sec. 1. In accordance with RCW 4.96.020, the City Council hereby appoints:

Bonnie Wilkins, City Clerk
21630 11th Ave So., Suite A
Des Moines, WA 98198

and in the absence of the City Clerk, the following as alternates:

Autumn Lingle
Executive Assistant
21630 11th Ave So., Suite A
Des Moines, WA 98198

Vicki Sheckler
Paralegal
21630 11th Ave So., Suite C
Des Moines, WA 98198

to act as the Agents to receive any Claim For Damages made under chapter 4.96 RCW.

Resolution No. ____

Page 2 of ____

Sec. 2. In accordance with RCW 4.96.020, the City Council hereby adopts the following procedures for presenting Claims for Damages made under chapter 4.96 RCW:

(1) Recording Information with Auditor. The identity of the Agent(s) and the address where the Agent(s) may be reached during normal business hours of the City shall be recorded by the City with the auditor of King County (the "Auditor").

(2) Procedure for Presenting Claims. All Claims for Damages made under chapter 4.07 RCW shall be presented personally to the Agent(s) at the address and within the business hours recorded with the Auditor, from 8:00 a.m. to 4:30 p.m., Monday through Friday, excluding holidays, and shall be presented within the applicable period of limitations in which such an action must commenced.

(3) Content of Claim. All Claims for Damages arising out of tortuous conduct shall locate and describe the conduct and circumstances which brought about the injury or damage, describe the injury or damage, state the time and place the injury or damage occurred, state the names of all persons involved, if known, and shall contain the amount of damage claimed, together with a statement of the actual residence of the claimant at the time of presenting and filing the claim for a period of six (6) months immediately prior to the time the claim arose.

(4) Notice Period. No action shall be commenced against the City for damages arising out of tortuous conduct until sixty (60) days have elapsed after the Claim has first been presented and filed in accordance with chapter 4.96 RCW and this Resolution.

ADOPTED BY the City Council of the City of Des Moines, Washington this ____ day of _____, 2013 and signed in authentication thereof this ____ day of _____, 2013.

M A Y O R

3/14/13 3:05 PM

Resolution No. ____
Page 3 of ____

APPROVED AS TO FORM:

City Attorney

ATTEST:

City Clerk

3/14/13 3:05 PM

A G E N D A I T E M

BUSINESS OF THE CITY COUNCIL City of Des Moines, WA

SUBJECT: Library Board Appointment

FOR AGENDA OF: March 28, 2013

ATTACHMENTS:

1. Library Board Appointment

DEPT. OF ORIGIN: Administration

DATE SUBMITTED: February 28, 2013

CLEARANCES:

☒ Legal NS

☐ Finance NA

☐ Marina NA

☐ Parks, Recreation & Senior Services _____

☐ Planning, Building & Public Works NA

☐ Police NA

☐ Courts NA

APPROVED BY CITY MANAGER
FOR SUBMITTAL: 

Purpose and Recommendation

The purpose of this agenda item is to recommend City Council approval of one appointment to the City of Des Moines Library Board.

Motion: "I move to confirm the Mayoral appointment of Carri Litowitz to the Des Moines Library Board effective immediately, to fill one vacant three year term, which will expire on December 31, 2015."

Background

Currently a vacancy exists on the Library Board. The City Clerk dully posted and advertised for the vacancy, seeking candidates interested in appointment. Des Moines Librarian, Carol Van Baalen, recommends the appointment of the above individual as an interested citizen who will bring valued interest to the Board.

Discussion

This agenda seeks confirmation of the Mayoral appointment of applicant Carri Litowitz to fill one vacant three year term on the Des Moines Library Board, effective immediately.

Alternatives

None provided.

Financial Impact

No financial impact.

Recommendation/Concurrence

None provided.

Mayor Kaplan reviewed the applications.



CITY OF DES MOINES
APPLICATION FOR APPOINTEE OFFICE
 21630 11th Avenue South
 Des Moines, WA 98198

Recvd. FEB 10 2008

CITY OF DES MOINES
 CITY CLERK

Please Check

NAME: Carri Litowitz
 ADDRESS: 602 S 242nd St
 CITY, ZIP: Des Moines WA 98148
 PHONE: Home 206 878 1247 Work 253 927 6116
 E-MAIL: CarriLit@comcast.net
 LENGTH OF RESIDENCE AT THE ABOVE ADDRESS 7 years
 REGISTERED VOTER? yes
 EMPLOYMENT SUMMARY LAST FIVE YEARS: Landmark Homes

- ☐ Civil Service Commission
☐ Planning Agency
☒ Library Board
☐ Human Services
☐ Senior Services
☐ Arts Commission

Are you related to anyone presently employed by the City or a member of a City Board? No
 If yes, explain: _____

Do you currently have an owning interest in either real property (other than your primary residence or a business) in the Des Moines planning area? yes If so, please describe: we are developing plot & building homes on Highway and have 4-5 rentals in various locations in Des Moines

IN ORDER FOR THE APPOINTING AUTHORITY TO FULLY EVALUATE YOUR QUALIFICATIONS FOR THIS POSITION, PLEASE ANSWER THE FOLLOWING QUESTIONS USING A SEPARATE PAPER IF NECESSARY.

1. Why do you wish to serve in this capacity and what can you contribute? As a business owner I can bring a different perspective

2. What problems, programs or improvements are you most interest in? _____

3. Please list any Des Moines elective/appointive offices you have run/applied for previously. City Council & Marina Planning Commission

A G E N D A I T E M

BUSINESS OF THE CITY COUNCIL City of Des Moines, WA

SUBJECT: Institutional Campus Zoning
Reclassification

ATTACHMENTS:

1. Substitute Draft Ordinance No. 13-002
(03/12/2013)
2. City Council's Draft Ordinance No.
13-002 (02/26/2013)

FOR AGENDA OF: March 28, 2013

DEPT. OF ORIGIN: Planning, Building, & Public
Works

DATE SUBMITTED: March 12, 2013

CLEARANCES:

- ☒ Legal PB
- ☐ Finance N/A
- ☐ Marina N/A
- ☐ Parks, Recreation & Senior Services N/A
- ☒ Planning, Building & Public Works DEL
- ☐ Police N/A
- ☐ Courts N/A

APPROVED BY CITY MANAGER
FOR SUBMITTAL:

Purpose and Recommendation:

The purpose of this item is to seek the City Council's consideration approval of Substitute Draft Ordinance No. 13-002 (**Attachment 1**) related to a zoning reclassification from Restricted Service (RM-900B) and Residential Single Family (RS-7200) to Institutional Campus (I-C) for specific properties in the Central Des Moines, Zenith and South Des Moines Neighborhoods that are designated IC-Institutional Campus by the *Des Moines Comprehensive Plan*.

Substitute Draft Ordinance No. 13-002 amends Section 2 in the previously presented ordinance to correct an error in the legal description for parcel numbers 0822049087, 0822049014, and 1722049025 as shown in track changes.

Administration requests that the City Council approve the proposed Substitute Draft Ordinance No. 13-002 by passing the alternate motions 1 and 2:

MOTIONS:

Motion 1: "I move to enact Draft Ordinance 13-002 amending DMMC 18.80.010 modifying the official zoning map of the City of Des Moines."

Alternate Motion 1: “I move to suspend the rules to consider Substitute Draft Ordinance No. 13-002.

Alternate Motion 2: “I move to enact Substitute Draft Ordinance No. 13-002 amending DMMC 18.80.010 modifying the official zoning map of the City of Des Moines, substantially in the form as attached.”

Background:

In 2012, City Council identified a short-term strategic objective to “Review and modify or update the institutional zoning code regulations pertaining to Highline Community College and retirement communities.” These facilities include Wesley Homes, Judson Park, Landmark on the Sound, and Highline Community College.

On June 28, 2012, Des Moines City Council adopted Ordinance No. 1544 establishing a new Institutional Campus Zone (I-C) and development standards that support the uses, services and operations of large institutional facilities in the City that serve a regional clientele. The new zone (Chapter 18.22 DMMC) is intended to facilitate the development or redevelopment plans as established in agency Master Plans. These changes also require the development of a land use designation and zone.

As part of the adopted 2012 Comprehensive Plan Amendments (Ordinance No. 1551), the City subsequently changed the preferred land use designation established by the *Des Moines Comprehensive Plan* from RF-Retirement Facility and SF-Single Family Residential to IC-Institutional Campus for the following properties:

Institution	Parcel ID Number	Address	Neighborhood Location
Wesley Homes	0822049014	815 S 216th ST	Central Des Moines
	0822049087	816 S 216th ST	
	0822049133	1122 S 216th ST	
Judson Park Retirement Home	1722049025	23600 Marine View DR S	Zenith
Landmark on the Sound	1722049023	23660 Marine View DR S	Zenith
Highline Community College	1622049016	2400 S 240th St	South Des Moines
	1622049013		

The zoning classification on the subject properties should be changed to I-C in order to effectuate the City Council’s decision in 2012 to re-designate the properties to IC in the Comprehensive Plan.

The proposed amendments require review under the State Environmental Policy Act (SEPA) – Chapter 43.21C RCW as a non-project action. The City’s SEPA Responsible Official reviewed the content of the SEPA Checklist filed under LUA 12-026, which evaluated the impacts associated with the proposed zoning reclassification from Restricted Service Zone (RM-900B) and Residential Single Family – 7,200 (RS-7200) to Institutional Campus (I-C). Following this review, the SEPA Responsible Official issued a Determination of Nonsignificance. The 15-day comment period concluded on February 28, 2013. The SEPA appeal period concluded on March 11, 2013 and no appeals were filed.

Amendments to the official zoning map are considered Type IV Land Use Actions pursuant to DMMC 18.56.060(1) and as such require a public hearing with the City Council pursuant to DMMC 18.56.180 and 18.60.040. Notice of the public hearing was posted at the City's official posting locations, the City website, the Seattle Times, provided to all properties owners subject to the zoning reclassification, and to all properties within 300 feet of the area under consideration to be rezoned as required by DMMC 18.60.120(3). On March 7, 2013 Des Moines City Council held a public hearing to consider City Council's Ordinance No. 13-002 (**Attachment 2**) and all persons wishing to be heard were heard.

Further, the regulations within the proposed amendments are classified as development regulations under the Growth Management Act as defined in RCW 36.70A.030(7) and are subject to review and comment by the Department of Commerce and other State agencies. Expedited Review was requested under RCW 36.70A.106(3)(b) which provides for a 15-day review and comment period. The Department of Commerce approved the request and the comment period concluded on February 1, 2013.

The Planning Agency reviewed the proposed zoning reclassification during its regular meeting on February 4, 2013. The Planning Agency recommended that the City Council change the zoning on all properties designated IC-Institutional Campus as part of this request under an "area-wide" zoning reclassification in order to achieve consistency with the Comprehensive Plan land use designation.

Discussion:

Substitute Draft Ordinance No. 13-002 (**Attachment 1**) modifies the City Council's Ordinance No. 13-002 (**Attachment 2**) to correct an error in the legal description for Wesley Homes parcel #0822049087 and parcel #0822049014, and Judson Park parcel #1722049025 as shown in track changes.

Alternatives:

The City Council has the following alternatives:

- **Alternative 1: Do Nothing**

The City Council may determine that particular conditions exist that warrant denying the zoning reclassification; however, these conditions would have to be clearly articulated. This is not the recommended alternative.

- **Alternative 2: Enact the I-C Zoning Reclassification**

The City Council could enact Substitute Draft Ordinance 13-002 (**Attachment 1**) changing the zoning classification from Restricted Service (RM-900B) and Residential Single Family (RS-7200) to Institutional Campus (I-C) for Wesley Homes, Judson Park, and Highline Community College.

Financial Impact:

Reclassifying the subject properties to the I-C Zone will help facilitate redevelopment of these campus properties which could have both direct and in-direct beneficial financial impacts on the City.

Recommendation/Conclusion:

The zoning reclassification to I-C Institutional Campus will bring the identified properties into compliance with the Growth Management Act (Chapter 36.70A RCW) and allow the property owner(s) to redevelop the property with uses that are compatible with I-C zoning and the objectives of the respective campus master plans. Specifically, approving the zoning reclassification will implement the following City goals and objectives:

- **City Council 2012 Goal 2:** “Improve economic stability and vitality.”
- **City Council 2012 Strategic Objective:** “Review and modify/update the institutional zoning code regulations pertaining to Highline Community College and retirement communities.”
- **Des Moines Comprehensive Plan:** The proposed zoning reclassification will create consistency between the preferred land use designations and adopted zoning map as directed by Land Use Element Policy 2-03-12 and Strategy 2-04-03.
- **Des Moines Municipal Code:** A primary purpose and objective of the I-C Institutional Campus zone is to facilitate the development or redevelopment of the existing institutional uses that support the planned economic development of the City.

Therefore, Administration requests that the City Council approve the zoning reclassification of the six properties that comprise the Wesley Homes, Judson Park and Highline Community College campuses facilities.

Concurrence

The Draft Ordinance has received a “do pass” recommendation from both the Planning Agency and the Finance and Economic Development Committee.

CITY ATTORNEY'S FIRST DRAFT 03/12/2013

SUBSTITUTE DRAFT ORDINANCE NO. 13-002

AN ORDINANCE OF THE CITY OF DES MOINES, WASHINGTON, amending the official zoning map of the City of Des Moines in order to change the zoning classification for specific properties currently zoned Residential Single Family - 7,200 (RS-7200) and Restricted Service Zone (RM-900B) to Institutional Campus (I-C).

WHEREAS, the Preferred Land Use Designation for seven properties located in the Central Des Moines, Zenith and South Des Moines Neighborhoods was changed from Single Family (SF) and Multifamily (MF) to Institutional Campus (IC) as part of the 2012 Des Moines Comprehensive Plan Amendments, and

WHEREAS, the primary purpose of the zoning code as provided in Chapter 18.06 DMMC, is for the orderly development of property in the City and to prevent the intrusion of incompatible uses which would damage the security and stability of land and improvements, and

WHEREAS, the property's current zoning classification is inconsistent with the Preferred Land Designation of IC-Institutional Campus established by the City of Des Moines Comprehensive Plan map, and

WHEREAS, on February 4, 2013, the Des Moines Planning Agency reviewed the proposed site specific rezone during a public meeting and recommended approval, and

WHEREAS, the SEPA responsible official issued a notice of determination of nonsignificance (DNS) on the 13th day of February 2013 and the accompanying comment and appeal periods have lapsed, and

WHEREAS, proper and timely notice was given to the Washington State Department of Commerce of these amendments as required by Chapter 36.70A RCW, and

WHEREAS, notice of the public hearing was given to the public in accordance with law and a public hearing was held on the 7th day of March 2013, and all persons wishing to be heard were heard, and

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WHEREAS, the City Council finds that the amendment contained in this ordinance is appropriate and necessary for the preservation of the public health and welfare; now therefore,

THE CITY COUNCIL OF THE CITY OF DES MOINES ORDAINS AS FOLLOWS:

NEW SECTION. **Sec. 1. Findings of fact.** The findings of fact and conclusions set forth in Exhibit "A", attached hereto and incorporated by this reference, are adopted in full by the City Council in support of its decision to change the zoning classification for the area described in section 2 of Ordinance No. ____.

NEW SECTION. **Sec. 2. Area of zone reclassification.** The zoning classification of the following legally described property and depicted on the attached map (incorporated herein by this reference) entitled Exhibit "B" is amended from Residential Single Family - 7,200 (RS-7200) and Restricted Service Zone (RM-900B) to Institutional Campus (I-C):

Parcel No. 0822049087 (Wesley Homes):

That portion of the Southwest Quarter of the Northeast Quarter Section 08 Township 22 North Range 04 East of the W.M., in King County, Washington except the west 274 feet and excluding the ~~west~~east 7.5 acres and excluding portion described as follows:

Beginning at the NE corner of said SW Quarter;
THENCE west along N line thereof 242.60 feet to NW Corner of E 7.5 acres of said SW Quarter and the point of beginning;
THENCE S 00° 03' 29" W along W line of said E 7.5 acres 675.48 feet;
THENCE N 19° 38' 24" W 144.24 feet;
THENCE N 19° 13' 39" W 216.18 feet;
THENCE N 52° 44' 31" W 170.65 feet;
THENCE S 58° 52' 44" W 254.80 feet;
THENCE S 80° 37' 59" W 238.69 feet;
THENCE S 82° 59' 51" W 183.89 feet to E line of said W 274 feet of SW Quarter;
THENCE N 00° 56' 27" W 475.13 feet along said E line to S line of S 212TH Street;
THENCE S 86° 39' 36" E to point of beginning; and excluding portion within the S 216TH Street (taxable portion).

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Parcel No. 0822049014 (Wesley Homes) :

That portion of the Northwest Quarter of the Southeast Quarter of Section 08 Township 22 North Range 04 East of the W.M., in King County, Washington described as follows:

Beginning at point on W line of NW Quarter of SE Quarter 1827.42 feet north of SW corner of SE Quarter of said Section 8;

THENCE E 418.00 feet;

THENCE S to N line of S 219th Street formerly Ethel O. Peck County Road (40 feet wide);

THENCE E along N line of said S 218th Street to W line of H. J. Latimer County Road No. 823;

THENCE N along said W line of Road to N line of said NW Quarter SE Quarter;

THENCE W along said N line to NW corner of said NW Quarter SE Quarter;

THENCE S along W line thereof to point of beginning;

EXCEPT that portion included in Morgan O'Brien County Road No. 155 along N line thereof; and

EXCEPT following described portion thereof:

Beginning at point on N line of said S 219th Street distance of 115 feet west of W line of said H. J. Latimer County Road No. 823;

THENCE continuing along N line of said S 219th Street 200.00 feet;

THENCE N parallel with W line of H. J. Latimer County Road No. 823 a distance of 107.10 feet;

THENCE E parallel with N line of said 219th Street 200.00 feet;

THENCE S parallel with W line of said H. J. Latimer County Road No. 823 a distance of 107.10 feet to point of beginning; and

EXCEPT S 10 feet thereof conveyed to King County by deed under Recording No. 4801586; and

EXCEPT the following described portion thereof:

Beginning at intersection of N line of S 219th Street of formerly Ethel O. Peck County Road and W line of 11th Avenue S formerly H. J. Latimer County Road No. 823;

THENCE N along W line of 11th Avenue S 97.1 feet;

THENCE westerly parallel to S 219th Street 115 feet;

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THENCE S parallel to 11th Avenue S 97.1 feet to said N line of S 219th Street;

THENCE easterly along said N line 115 feet to point of beginning; and

EXCEPT portion thereof conveyed to City of Des Moines by deed under Recording No. 20100301000781 described as follows:

Beginning at intersection of S margin of S 216th Street and W Margin of 11th Avenue S;

THENCE S 00° 01' 43" E along said W Margin 11.22 feet-;

THENCE N 54° 50' 35" W 20.58 feet to said S margin;

THENCE S 84° 51' 30" E along said S margin 16.84 feet to point of beginning.

Parcel No. 0822049133 (Wesley Homes) :

That portion of the E half E 15 acres SW Quarter NE Quarter Section 08 Township 22 North Range 04 East of the W.M., in King County, Washington; less W 80 feet of S 330 feet thereof; less portion thereof lying within following described tract:

Commencing at center of NE Quarter said Section 8;

THENCE S 00° 13' 23" W 747.43 feet;

THENCE N 87° 15' 32" W 242.48 feet;

THENCE N 00° 03' 29" E 749.98 feet;

THENCE S 86° 39' 35" E 242.60 feet along N line SW Quarter NE Quarter said Section to point of beginning;

LESS portion thereof if any lying within W half of E 15 acres SW Quarter NE Quarter said Section 8;

LESS S 30 feet of remainder lying within S 216th Street together with portion SW Quarter SE Quarter NE Quarter Section 08 Township 22 North Range 04 East of the W.M., in King County, Washington described as follows:

Beginning at point on W line said SW Quarter which is N 00° 03' 23" E 42.03 feet from SW corner thereof (said point lying ON N margin S 216TH Street);

THENCE N 00° 03' 23" E along said W line of said subdivision 556.67 feet;

THENCE S 87° 15' 32" E parallel with N line said SW Quarter a distance of 48.75 feet;

THENCE S 20° 21' 27" E 114.83 feet;

THENCE S 00° 03' 23" W 450.00 feet to N margin S 216TH Street;

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THENCE N 87° 41' 30" W 88.81 feet along N margin said street to point of beginning - as delineated per city of Des Moines lot line adjustment No. LL 93-007 Recording No. 9303230783 -- together with 80 feet of N 300 feet of S 330 feet of E half E 15 acres of SW Quarter NE Quarter Section 08 Township 22 North Range 04 East of the W.M., in King County, Washington.

Parcel No. 1722049025 (Judson Park):

Parcel A: portion of tract 22 Des Moines two-acre tracts and of N 346.50 feet of NE Quarter SW Quarter SE Quarter Section ~~08~~-17 Township 22 North Range 04 East of the W.M., in King County, Washington described as follows:

Beginning S Quarter corner said Section 17;

THENCE N 00° 58' 22" E along N-S center line of said Section a distance 972.48 feet;

THENCE S 88° 28' 52" E 30.00 feet to point on E margin of Marine View Drive S (as now established) which point is also the west end of existing old fence line as disclosed in King County Superior Court Cause No. 390139 and to point of beginning;

THENCE S 88° 28' 52" E along said existing old fence line 627.21 feet to E line of said NW Quarter SW Quarter SE Quarter Section 17;

THENCE N 00° 59' 30" E along E line said subdivision 325.90 feet to NE corner thereof;

THENCE N 88° 28' 47" W along N line said subdivision 15.00 feet to SE corner said tract 22;

THENCE N 00° 58' 22" E along E line said tract 22 a distance of 117.25 feet to NE corner thereof;

THENCE N 88° 28' 47" W along N line said tract 22 a distance of 612.27 feet to E margin of said Marine View Drive S;

THENCE S 00° 58' 22" W along said E margin 442.17 feet to point of beginning;

EXCEPT E 15 feet of S 90 feet of said tract 22: together with parcel B: that portion of W half of SW Quarter of SE Quarter Section 17 Township 22 North Range 04 East of the W.M., in King County, Washington described as follows:

Beginning S Quarter corner of said Section 17;

THENCE N 00° 58' 22" E along N-S center line of said Section a distance of 816.75 feet;

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THENCE S 88° 28' 07" E 30.00 feet to point on E margin of Marine View Drive and to point of beginning;
 THENCE continuing S88° 28' 07" E 627.16 feet to E line said W half of SW Quarter of SE Quarter Section 17;
 THENCE N 00° 59' 30" E along said E line 155.88 feet to existing old fence line as disclosed in King County Superior Court Cause No. 390139;
 THENCE N 88° 28' 52" W along said old fence line 329.21 feet to point which is 328 feet easterly (measured along said fence and westerly extension thereof) from W line of said SE Quarter;
 THENCE S 00° 53' 47" W 135.79 feet;
 THENCE N 88° 28' 10" W 298.18 feet to said E margin Marine View Drive S;
 THENCE S 00° 58' 22" W along said E margin 20.00 feet to point of beginning; together with parcel C: that portion of SW Quarter SE Quarter Section 17 Township 22 North Range 04 East of the W.M., in King County, Washington described as follows:

Beginning at point 836.75 feet north of SW corner said subdivision;
 THENCE north 135 feet more or less to westerly production of line of fence decreed to be property line in King County Superior Court Cause No. 390139;
 THENCE easterly 30.00 feet to point on said line which is 325.50 feet south of N line said subdivision;
 THENCE easterly along said E creed line (which would intersect E line of NW Quarter of SW Quarter of SE Quarter of said Section at point 325.90 feet south of NE corner of said subdivision) a distance of 298.00 feet;
 THENCE south 135 feet more or less to a point 328.18 feet east of point of beginning;
 THENCE west 328.18 feet to point of beginning;

EXCEPT that portion thereof lying within Marine View Drive S: together with parcel D: that portion of tract 24 of Des Moines two-acre tracts described as follows:

Beginning N Quarter corner Section 17 Township 22 North Range 04 East of the W.M., in King County, Washington
 THENCE S 00° 58' 52" W along N-S center line of said Section a distance of 3795.51 feet;
 THENCE S 88° 55' 14" E 32.48 feet to E margin 8th Avenue S (Marine View Drive S);

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THENCE continuing S88° 55' 14" E 297.52 feet to W line of E 315 feet of said tract 24;

THENCE S 00° 58' 52" W along said W line 34.49 feet to S line of said tract 24;

THENCE N 88° 55' 14" W along said S line 297.58 feet to point on E margin 8th Avenue S (Marine View Drive S);

THENCE N 01° 04' 46" E along said margin 34.49 feet more or less to point of beginning;

Parcel No. 1622049016 (Highline Community College):

SW 1/4 of SE 1/4 less County Road and portion vacant Street adjacent to Section 16 Township 22 North Range 4 East of the W.M., in King County, Washington.

Parcel No. 1622049013 (Highline Community College):

SE 1/4 of SW 1/4 less County Road of Section 16 Township 22 North Range 4 East of the W.M., in King County, Washington.

Sec. 3. DMMC 18.80.010 and section 1 of Ordinance No. 179 amended by section 1 of Ordinance No. 1235, amended by section 8 of Ordinance No. 1237, amended by section 1 of Ordinance No. 1261, amended by section 1 of Ordinance No. 1267, amended by section 1 of Ordinance No. 1289, amended by section 1 of Ordinance No. 1372 amended by section 5 of Ordinance No. 1397 amended by section 1 of Ordinance No. 1420 amended by section 2 of Ordinance No. 1431, amended by section 2 Ordinance No. 1520, amended by section 3 of Ordinance No. 1546 are each amended as follows:

18.80.010 Designated. The map filed in the City Clerk's office and marked Exhibit "~~C~~"B" to Ordinance No. ~~1546~~ and adopted ~~July 25, 2012~~ March, 2013, constitutes the zoning map for the City. The map referenced herein supersedes all previously adopted maps. If the designations of the map are found to be in conflict with other land use designations, the map is deemed to control. Conditional rezones or other special zoning designations shall be clearly outlined on the map along with the associated ordinance number.

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NEW SECTION. Sec. 4. Severability - Construction.

(1) If a section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

(2) If the provisions of this ordinance are found to be inconsistent with other provisions of the Des Moines Municipal Code, this ordinance is deemed to control.

NEW SECTION. Sec. 5. Effective Date. This ordinance shall take effect and be in full force five (5) days after its passage, approval, and publication in accordance with law.

PASSED BY the City Council of the City of Des Moines this _____th day of March, 2013 and signed in authentication thereof this _____th day of March, 2013.

M A Y O R

APPROVED AS TO FORM:

Assistant City Attorney

ATTEST:

City Clerk

Published: _____

EXHIBIT A TO SUBSTITUTE DRAFT ORDINANCE NO. 13-002**FINDINGS of FACT**

1. In 2012, Des Moines City Council identified a short-term strategic objective to "Review and modify or update the institutional zoning code regulations pertaining to Highline Community College and retirement communities."

2. On June 28, 2012, Des Moines City Council adopted Ordinance No. 1544 adding a new chapter to Title 18 DMMC entitled I-C Institutional Campus Zone, establishing new development standards for a new Institutional Campus Zone (I-C) in the City of Des Moines and amending DMMC 18.06.020 and 18.06.030 to add the new I-C zone to the list of existing zoning categories in the City.

3. On October 25, 2012, the City Council adopted Ordinance 1551 adopting the *2012 Comprehensive Plan Amendments*, which included among other items, changing the preferred land use designation for the area described in Section 2 of Draft Ordinance 13-002 from RF-Retirement Facility and PF-Public Facility to IC-Institutional Campus.

4. The area described in Section 2 of Draft Ordinance No. 13-002 subject to this zoning reclassification to Institutional Campus (I-C) is currently zoned Residential Single Family 7,200 (RS-7,200) and Restricted Service Zone (RM-900B) is inconsistent with the current preferred land use designation of IC-Institutional Campus established by *City of Des Moines Comprehensive Plan*.

5. *Des Moines Comprehensive Plan* Policy 2-03-12 directs the City to "[R]ecognize the City of Des Moines Comprehensive Plan Preferred Land Use Maps, Figures 2-1 through 2-09, as the official land use maps of the City of Des Moines, providing a geographic representation of the Land Use Element Goal and Policies. Recognize the City of Des Moines Zoning Map as the official zoning map. Undertake all planning activities to implement and support the designated land use pattern."

6. *Des Moines Comprehensive Plan* Strategy 2-04-03 requires the City to "[C]reate consistency between the uses designated in the City of Des Moines Comprehensive Plan with those designated on the City of Des Moines Zoning Map."

7. *Des Moines Comprehensive Plan* Strategy 2-04-05 states that, "Zoning should be brought into conformance with the City of Des Moines Comprehensive Plan Land Use Map."

8. *Des Moines Comprehensive Plan* Strategy 2-04-06 states that the City should, "[R]equire all zoning changes to conform with the land use pattern designated on the City of Des Moines Comprehensive Plan Land Use Map. Require that all rezones consider, among other relevant considerations, the following:

- (1) The effect upon the physical and biological environments;
- (2) The effect on the economic, social and cultural environments;
- (3) The impact on adjacent land uses and neighborhoods; and
- (4) The impact on community and regional facilities, utilities, and transportation."

9. Amendments to official zoning map are considered Type IV Land Use Actions pursuant to DMMC 18.56.060(1) and as such require a public hearing with the City Council pursuant to DMMC 18.56.180 and 18.60.040.

10. The Des Moines Planning Agency held a public meeting on February 4, 2013 and recommended that the City Council adopt the zoning reclassification for the subject properties.

11. Draft Ordinance 13-002 was reviewed pursuant to the State Environmental Policy Act (SEPA) - Chapter 43.21C RCW as a non-project action.

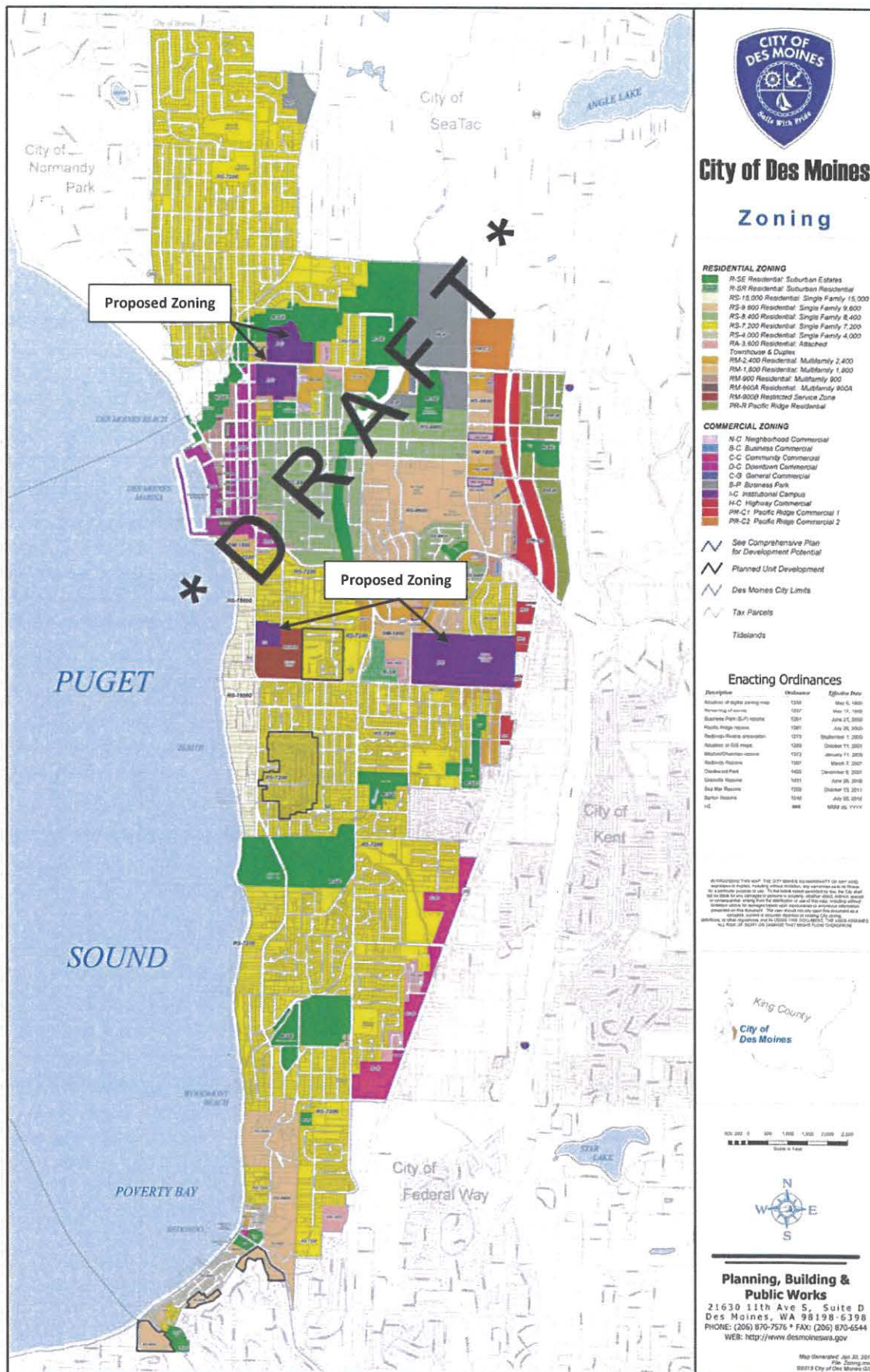
12. A SEPA Determination of Nonsignificance (LUA2012-0004) was issued on February 13, 2013.

13. Pursuant to the Growth Management Act - Chapter 36.70A RCW the Draft Ordinance was provided to the Department of Commerce for 60-day review and comment by the Department and other State agencies. Expedited review was requested and granted by Commerce and the review period concluded on February 7, 2013.

14. A public hearing with the City Council was held on March 7, 2013 as required by DMMC 18.56.200 and 18.60.040.

15. The date of the public hearing to consider the Draft Ordinance was set by the City Council on February 7, 2013 pursuant to Resolution 13-002 as required by DMMC 18.60.120(3).

16. Notice of the public hearing was posted at the City's official posting locations, the City website, the Seattle Times, provided to all properties owners subject to the zoning reclassification, and to all properties within 300 feet of the area under consideration to be rezoned as required by DMMC 18.60.120(3).



CITY COUNCIL'S FIRST DRAFT 03/07/2013

DRAFT ORDINANCE NO. 13-002

AN ORDINANCE OF THE CITY OF DES MOINES, WASHINGTON, amending the official zoning map of the City of Des Moines in order to change the zoning classification for specific properties currently zoned Residential Single Family - 7,200 (RS-7200) and Restricted Service Zone (RM-900B) to Institutional Campus (I-C).

WHEREAS, the Preferred Land Use Designation for seven properties located in the Central Des Moines, Zenith and South Des Moines Neighborhoods was changed from Single Family (SF) and Multifamily (MF) to Institutional Campus (IC) as part of the *2012 Des Moines Comprehensive Plan Amendments*, and

WHEREAS, the primary purpose of the zoning code as provided in Chapter 18.06 DMMC, is for the orderly development of property in the City and to prevent the intrusion of incompatible uses which would damage the security and stability of land and improvements, and

WHEREAS, the property's current zoning classification is inconsistent with the Preferred Land Designation of IC-Institutional Campus established by the *City of Des Moines Comprehensive Plan* map, and

WHEREAS, on February 4, 2013, the Des Moines Planning Agency reviewed the proposed site specific rezone during a public meeting and recommended approval, and

WHEREAS, the SEPA responsible official issued a notice of determination of nonsignificance (DNS) on the 13th day of February 2013 and the accompanying comment and appeal periods have lapsed, and

WHEREAS, proper and timely notice was given to the Washington State Department of Commerce of these amendments as required by Chapter 36.70A RCW, and

WHEREAS, notice of the public hearing was given to the public in accordance with law and a public hearing was held on the 7th day of March 2013, and all persons wishing to be heard were heard, and

Ordinance No. 13-003

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WHEREAS, the City Council finds that the amendment contained in this ordinance is appropriate and necessary for the preservation of the public health and welfare; now therefore,

THE CITY COUNCIL OF THE CITY OF DES MOINES ORDAINS AS FOLLOWS:

NEW SECTION. **Sec. 1. Findings of fact.** The findings of fact and conclusions set forth in Exhibit "A", attached hereto and incorporated by this reference, are adopted in full by the City Council in support of its decision to change the zoning classification for the area described in section 2 of Ordinance No. ____.

NEW SECTION. **Sec. 2. Area of zone reclassification.** The zoning classification of the following legally described property and depicted on the attached map (incorporated herein by this reference) entitled Exhibit "B" is amended from Residential Single Family - 7,200 (RS-7200) and Restricted Service Zone (RM-900B) to Institutional Campus (I-C):

Parcel No. 0822049087 (Wesley Homes):

That portion of the Southwest Quarter of the Northeast Quarter Section 08 Township 22 North Range 04 East of the W.M., in King County, Washington except the west 274 feet and excluding the west 7.5 acres and excluding portion described as follows:

Beginning at the NE corner of said SW Quarter;
 THENCE west along N line thereof 242.60 feet to NW Corner of E 7.5 acres of said SW Quarter and the point of beginning;
 THENCE S 00° 03' 29" W along W line of said E 7.5 acres 675.48 feet;
 THENCE N 19° 38' 24" W 144.24 feet;
 THENCE N 19°13' 39" W 216.18 feet;
 THENCE N 52° 44' 31" W 170.65 feet;
 THENCE S 58° 52' 44" W 254.80 feet;
 THENCE S 80° 37' 59" W 238.69 feet;
 THENCE S 82°59' 51" W 183.89 feet to E line of said W 274 feet of SW Quarter;
 THENCE N 00° 56' 27" W 475.13 feet along said E line to S line of S 212TH Street;
 THENCE S 86° 39' 36" E to point of beginning; and excluding portion within the S 216TH Street (taxable portion).

Ordinance No. 13-003

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Parcel No. 0822049014 (Wesley Homes) :

That portion of the Northwest Quarter of the Southeast Quarter of Section 08 Township 22 North Range 04 East of the W.M., in King County, Washington described as follows:

Beginning at point on W line of NW Quarter of SE Quarter 1827.42 feet north of SW corner of SE Quarter of said Section 8;

THENCE E 418.00 feet;

THENCE S to N line of S 219th Street formerly Ethel O. Peck County Road (40 feet wide);

THENCE E along N line of said S 218th Street to W line of H. J. Latimer County Road No. 823;

THENCE N along said W line of Road to N line of said NW Quarter SE Quarter;

THENCE W along said N line to NW corner of said NW Quarter SE Quarter;

THENCE S along W line thereof to point of beginning;

EXCEPT that portion included in Morgan O'Brien County Road No. 155 along N line thereof; and

EXCEPT following described portion thereof:

Beginning at point on N line of said S 219th Street distance of 115 feet west of W line of said H. J. Latimer County Road No. 823;

THENCE continuing along N line of said S 219th Street 200.00 feet;

THENCE N parallel with W line of H. J. Latimer County Road No. 823 a distance of 107.10 feet;

THENCE E parallel with N line of said 219th Street 200.00 feet;

THENCE S parallel with W line of said H. J. Latimer County Road No. 823 a distance of 107.10 feet to point of beginning; and

EXCEPT S 10 feet thereof conveyed to King County by deed under Recording No. 4801586; and

EXCEPT the following described portion thereof:

Beginning at intersection of N line of S 219th Street of formerly Ethel O. Peck County Road and W line of 11th Avenue S formerly H. J. Latimer County Road No. 823;

THENCE N along W line of 11th Avenue S 97.1 feet;

THENCE westerly parallel to S 219th Street 115 feet;

Ordinance No. 13-003
Page 4 of 11

THENCE S parallel to 11th Avenue S 97.1 feet to said N line of S 219th Street;
THENCE easterly along said N line 115 feet to point of beginning; and

EXCEPT portion thereof conveyed to City of Des Moines by deed under Recording No. 20100301000781 described as follows:

Beginning at intersection of S margin of S 216th Street and W Margin of 11th Avenue S;
THENCE S $00^{\circ} 01' 43''$ E along said W Margin 11.22 feet.

Parcel No. 0822049133 (Wesley Homes):

That portion of the E half E 15 acres SW Quarter NE Quarter Section 08 Township 22 North Range 04 East of the W.M., in King County, Washington; less W 80 feet of S 330 feet thereof; less portion thereof lying within following described tract:

Commencing at center of NE Quarter said Section 8;
THENCE S $00^{\circ} 13' 23''$ W 747.43 feet;
THENCE N $87^{\circ} 15' 32''$ W 242.48 feet;
THENCE N $00^{\circ} 03' 29''$ E 749.98 feet;
THENCE S $86^{\circ} 39' 35''$ E 242.60 feet along N line SW Quarter NE Quarter said Section to point of beginning;
LESS portion thereof if any lying within W half of E 15 acres SW Quarter NE Quarter said Section 8;
LESS S 30 feet of remainder lying within S 216th Street together with portion SW Quarter SE Quarter NE Quarter Section 08 Township 22 North Range 04 East of the W.M., in King County, Washington described as follows:

Beginning at point on W line said SW Quarter which is N $00^{\circ} 03' 23''$ E 42.03 feet from SW corner thereof (said point lying ON N margin S 216TH Street);
THENCE N $00^{\circ} 03' 23''$ E along said W line of said subdivision 556.67 feet;
THENCE S $87^{\circ} 15' 32''$ E parallel with N line said SW Quarter a distance of 48.75 feet;
THENCE S $20^{\circ} 21' 27''$ E 114.83 feet;
THENCE S $00^{\circ} 03' 23''$ W 450.00 feet to N margin S 216TH Street;
THENCE N $87^{\circ} 41' 30''$ W 88.81 feet along N margin said street to point of beginning - as delineated per city of Des Moines lot line adjustment No. LL 93-007 Recording No. 9303230783 --

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together with 80 feet of N 300 feet of S 330 feet of E half E 15 acres of SW Quarter NE Quarter Section 08 Township 22 North Range 04 East of the W.M., in King County, Washington.

Parcel No. 1722049025 (Judson Park):

Parcel A: portion of tract 22 Des Moines two-acre tracts and of N 346.50 feet of NE Quarter SW Quarter SE Quarter Section 08 Township 22 North Range 04 East of the W.M., in King County, Washington described as follows:

Beginning S Quarter corner said Section 17;
 THENCE N 00° 58' 22" E along N-S center line of said Section a distance 972.48 feet;
 THENCE S 88° 28' 52" E 30.00 feet to point on E margin of Marine View Drive S (as now established) which point is also the west end of existing old fence line as disclosed in King County Superior Court Cause No. 390139 and to point of beginning;
 THENCE S 88° 28' 52" E along said existing old fence line 627.21 feet to E line of said NW Quarter SW Quarter SE Quarter Section 17;
 THENCE N 00° 59' 30" E along E line said subdivision 325.90 feet to NE corner thereof;
 THENCE N 88° 28' 47" W along N line said subdivision 15.00 feet to SE corner said tract 22;
 THENCE N 00° 58' 22" E along E line said tract 22 a distance of 117.25 feet to NE corner thereof;
 THENCE N 88° 28' 47" W along N line said tract 22 a distance of 612.27 feet to E margin of said Marine View Drive S;
 THENCE S 00° 58' 22" W along said E margin 442.17 feet to point of beginning;

EXCEPT E 15 feet of S 90 feet of said tract 22: together with parcel B: that portion of W half of SW Quarter of SE Quarter Section 17 Township 22 North Range 04 East of the W.M., in King County, Washington described as follows:

Beginning S Quarter corner of said Section 17;
 THENCE N 00° 58' 22" E along N-S center line of said Section a distance of 816.75 feet;
 THENCE S 88° 28' 07" E 30.00 feet to point on E margin of Marine View Drive and to point of beginning;
 THENCE continuing S 88° 28' 07" E 627.16 feet to E line said W half of SW Quarter of SE Quarter Section 17;

Ordinance No. 13-003

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THENCE N 00° 59' 30" E along said E line 155.88 feet to existing old fence line as disclosed in King County Superior Court Cause No. 390139;

THENCE N 88° 28' 52" W along said old fence line 329.21 feet to point which is 328 feet easterly (measured along said fence and westerly extension thereof) from W line of said SE Quarter;

THENCE S 00° 53' 47" W 135.79 feet;

THENCE N 88° 28' 10" W 298.18 feet to said E margin Marine View Drive S;

THENCE S 00° 58' 22" W along said E margin 20.00 feet to point of beginning; together with parcel C: that portion of SW Quarter SE Quarter Section 17 Township 22 North Range 04 East of the W.M., in King County, Washington described as follows:

Beginning at point 836.75 feet north of SW corner said subdivision;

THENCE north 135 feet more or less to westerly production of line of fence decreed to be property line in King County Superior Court Cause No. 390139;

THENCE easterly 30.00 feet to point on said line which is 325.50 feet south of N line said subdivision;

THENCE easterly along said E creed line (which would intersect E line of NW Quarter of SW Quarter of SE Quarter of said Section at point 325.90 feet south of NE corner of said subdivision) a distance of 298.00 feet;

THENCE south 135 feet more or less to a point 328.18 feet east of point of beginning;

THENCE west 328.18 feet to point of beginning;

EXCEPT that portion thereof lying within Marine View Drive S: together with parcel D: that portion of tract 24 of Des Moines two-acre tracts described as follows:

Beginning N Quarter corner Section 17 Township 22 North Range 04 East of the W.M., in King County, Washington

THENCE S 00° 58' 52" W along N-S center line of said Section a distance of 3795.51 feet;

THENCE S 88° 55' 14" E 32.48 feet to E margin 8th Avenue S (Marine View Drive S);

THENCE continuing S88° 55' 14" E 297.52 feet to W line of E 315 feet of said tract 24;

THENCE S 00° 58' 52" W along said W line 34.49 feet to S line of said tract 24;

THENCE N 88° 55' 14" W along said S line 297.58 feet to point on E margin 8th Avenue S (Marine View Drive S);

Ordinance No. 13-003

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THENCE N 01° 04' 46" E along said margin 34.49 feet more or less to point of beginning;

Parcel No. 1622049016 (Highline Community College):

SW 1/4 of SE 1/4 less County Road and portion vacant Street adjacent to Section 16 Township 22 North Range 4 East of the W.M., in King County, Washington.

Parcel No. 1622049013 (Highline Community College):

SE 1/4 of SW 1/4 less County Road of Section 16 Township 22 North Range 4 East of the W.M., in King County, Washington.

Sec. 3. DMMC 18.80.010 and section 1 of Ordinance No. 179 amended by section 1 of Ordinance No. 1235, amended by section 8 of Ordinance No. 1237, amended by section 1 of Ordinance No. 1261, amended by section 1 of Ordinance No. 1267, amended by section 1 of Ordinance No. 1289, amended by section 1 of Ordinance No. 1372 amended by section 5 of Ordinance No. 1397 amended by section 1 of Ordinance No. 1420 amended by section 2 of Ordinance No. 1431, amended by section 2 Ordinance No. 1520, amended by section 3 of Ordinance No. 1546 are each amended as follows:

18.80.010 Designated. The map filed in the City Clerk's office and marked Exhibit "C" "B" to Ordinance No. ~~1546~~ and adopted ~~July 25,~~ 2012 March, 2013, constitutes the zoning map for the City. The map referenced herein supersedes all previously adopted maps. If the designations of the map are found to be in conflict with other land use designations, the map is deemed to control. Conditional rezones or other special zoning designations shall be clearly outlined on the map along with the associated ordinance number.

NEW SECTION. Sec. 4. Severability - Construction.

(1) If a section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason by any court of competent

Ordinance No. 13-003

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jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

(2) If the provisions of this ordinance are found to be inconsistent with other provisions of the Des Moines Municipal Code, this ordinance is deemed to control.

NEW SECTION. Sec. 5. Effective Date. This ordinance shall take effect and be in full force five (5) days after its passage, approval, and publication in accordance with law.

PASSED BY the City Council of the City of Des Moines this _____th day of March, 2013 and signed in authentication thereof this _____th day of March, 2013.

M A Y O R

APPROVED AS TO FORM:

Assistant City Attorney

ATTEST:

City Clerk

Published: _____

EXHIBIT A TO CITY COUNCIL'S DRAFT ORDINANCE NO. 13-002**FINDINGS of FACT**

1. In 2012, Des Moines City Council identified a short-term strategic objective to "Review and modify or update the institutional zoning code regulations pertaining to Highline Community College and retirement communities."

2. On June 28, 2012, Des Moines City Council adopted Ordinance No. 1544 adding a new chapter to Title 18 DMMC entitled I-C Institutional Campus Zone, establishing new development standards for a new Institutional Campus Zone (I-C) in the City of Des Moines and amending DMMC 18.06.020 and 18.06.030 to add the new I-C zone to the list of existing zoning categories in the City.

3. On October 25, 2012, the City Council adopted Ordinance 1551 adopting the *2012 Comprehensive Plan Amendments*, which included among other items, changing the preferred land use designation for the area described in Section 2 of Draft Ordinance 13-002 from RF-Retirement Facility and PF-Public Facility to IC-Institutional Campus.

4. The area described in Section 2 of Draft Ordinance No. 13-002 subject to this zoning reclassification to Institutional Campus (I-C) is currently zoned Residential Single Family 7,200 (RS-7,200) and Restricted Service Zone (RM-900B) is inconsistent with the current preferred land use designation of IC-Institutional Campus established by *City of Des Moines Comprehensive Plan*.

5. *Des Moines Comprehensive Plan* Policy 2-03-12 directs the City to "[R]ecognize the City of Des Moines Comprehensive Plan Preferred Land Use Maps, Figures 2-1 through 2-09, as the official land use maps of the City of Des Moines, providing a geographic representation of the Land Use Element Goal and Policies. Recognize the City of Des Moines Zoning Map as the official zoning map. Undertake all planning activities to implement and support the designated land use pattern."

6. *Des Moines Comprehensive Plan* Strategy 2-04-03 requires the City to "[C]reate consistency between the uses designated in the City of Des Moines Comprehensive Plan with those designated on the City of Des Moines Zoning Map."

7. *Des Moines Comprehensive Plan* Strategy 2-04-05 states that, "Zoning should be brought into conformance with the City of Des Moines Comprehensive Plan Land Use Map."

8. *Des Moines Comprehensive Plan* Strategy 2-04-06 states that the City should, "[R]equire all zoning changes to conform with the land use pattern designated on the City of Des Moines Comprehensive Plan Land Use Map. Require that all rezones consider, among other relevant considerations, the following:

- (1) The effect upon the physical and biological environments;
- (2) The effect on the economic, social and cultural environments;
- (3) The impact on adjacent land uses and neighborhoods; and
- (4) The impact on community and regional facilities, utilities, and transportation."

9. Amendments to official zoning map are considered Type IV Land Use Actions pursuant to DMMC 18.56.060(1) and as such require a public hearing with the City Council pursuant to DMMC 18.56.180 and 18.60.040.

10. The Des Moines Planning Agency held a public meeting on February 4, 2013 and recommended that the City Council adopt the zoning reclassification for the subject properties.

11. Draft Ordinance 13-002 was reviewed pursuant to the State Environmental Policy Act (SEPA) - Chapter 43.21C RCW as a non-project action.

12. A SEPA Determination of Nonsignificance (LUA2012-0004) was issued on February 13, 2013.

13. Pursuant to the Growth Management Act - Chapter 36.70A RCW the Draft Ordinance was provided to the Department of Commerce for 60-day review and comment by the Department and other State agencies. Expedited review was requested and granted by Commerce and the review period concluded on February 7, 2013.

14. A public hearing with the City Council was held on March 7, 2013 as required by DMMC 18.56.200 and 18.60.040.

15. The date of the public hearing to consider the Draft Ordinance was set by the City Council on February 7, 2013 pursuant to Resolution 13-002 as required by DMMC 18.60.120(3).

16. Notice of the public hearing was posted at the City's official posting locations, the City website, the Seattle Times, provided to all properties owners subject to the zoning reclassification, and to all properties within 300 feet of the area under consideration to be rezoned as required by DMMC 18.60.120(3).



AGENDA ITEM

SUBJECT: Link Light Rail Alternatives
Analysis Update

ATTACHMENTS:

1. Link Light Rail Extension Policy Paper dated 2/1/13
2. Sound Transit Presentation on Federal Way Transit Extension Alternatives Analysis Update, March 2013

AGENDA OF: March 28, 2013

DEPT. OF ORIGIN: Community Development

DATE SUBMITTED: March 18, 2013

CLEARANCES:

- ☐ Legal N/A
- ☐ Finance N/A
- ☐ Marina N/A
- ☐ Parks, Recreation & Senior Services N/A
- ☒ Public Works DSB
- ☒ Community Development DEL
- ☐ Police N/A

APPROVED BY CITY MANAGER
FOR SUBMITTAL: 

Purpose and Recommendation:

The purpose of this item is to update the City Council on the early phases of Sound Transit's alternatives analysis and to discuss a policy paper developed by City and SeaTac staff and coordinated with the Public Safety and Transportation Committee and two members of the SeaTac City Council on February 7th. The policy establishes a framework of prioritized goals and principles which we hope will guide decision making on light rail extension and station locations through our respective cities.

No formal Council action is requested, but staff would appreciate policy direction as Sound Transit continues to evaluate the alternative alignments and station locations against their screening criteria.

Background:

On June 28, 2012, Sound Transit and the City of SeaTac approved a Development Agreement providing for the extension of Link Light Rail from the Sea-Tac Airport Station to South 200th Street by the fall of 2016. Sound Transit estimates that there will be \$1.7 billion in one time construction impacts and over 11,000 construction related statewide jobs created by the development of the vacant and underdeveloped parcels in the half mile area surrounding the South 200th Street Station (this area extends to South 208th Street) plus \$2 billion and over 12,000 job annually, statewide.

Anticipating the arrival of Link Light Rail by 2023, the cities of Kent and Des Moines, supported by a \$125,000 state grant, completed a collaborative planning project called "Envision Midway". A series of open houses, workshops and stakeholder group meetings were held in 2008 and 2009. Des Moines City Council subsequently approved an ordinance amending the Des Moines Comprehensive Plan incorporating the Envision Midway planning work in November 2009. In December 2011, the City of Kent, after further planning and analysis, adopted a subarea plan, zoning and design guidelines for

Midway that sets the table for the extension of Link Light Rail and associated transit-oriented development in Midway.

The Des Moines Comprehensive Plan Transportation Element includes the following strategies related to the extension of Link Light Rail to and through Des Moines:

Transportation Element

Strategy 3-05-04 Public Transit

(5) Support regional plans for high capacity transit (HCT) and opportunities that extend the regional transit system (including BRT and light rail) to provide convenient connections to Des Moines. (CTP TR 4.6)

(7) Support Sound Transit light rail (LRT) station(s) in Pacific Ridge, Midway, and Woodmont areas on Pacific Highway South. (CTP TR 4.8)

(9) Work with Sound Transit to establish a light rail transit stop at South 216th Street. (CTP TR 4.10)

(10) Work with Sound Transit on station area planning for Midway and South 272nd Street stations. (CTP TR 4.11)

(11) Coordinate with the City of Kent for the Midway subarea. (CTP TR 4.12)

Pacific Ridge Element

Policy 11-03-11 *Coordinate with Sound Transit and the Cities of Kent, SeaTac and Federal Way on the extension of light rail through Des Moines.*

Strategy 11-04-07 *Support a light rail alignment on or east of the SR 99 center median, or along 30th Avenue South, provided a light rail stop is added in the vicinity of South 216th Street; or designate the west margin of Interstate 5 as the light rail corridor through Pacific Ridge. Work with Sound Transit to establish a light rail stop in the vicinity of S 216th Street.*

On February 7, 2013, the City Council adopted the following 2013 Intergovernmental Policy:

B.4.i. *The City supports a light rail alignment on the State Route 509 alignment and the west margin of Interstate 5 as the light rail corridor through Pacific Ridge.*

In June 2012, Sound Transit began the “Alternatives Analysis” on the 7.6 mile corridor from South 200th Street to the Federal Way Transit Center including stations in the vicinity of Highline Community College by 2023 and South 272nd Street when funds become available. The Alternatives Analysis will be completed by mid-2013 and will be followed by a Draft EIS/Conceptual Engineering, and a Final EIS/Preliminary Engineering. Completion of the environmental approval process and receipt of a Record of Decision from the Federal Transit Administration is anticipated by 2016.

Sound Transit staff last briefed the full Council on October 18, 2012.

Four cities are involved in the Federal Way Transit Extension and Sound Transit is working with 13 cities in its regional planning effort. Additional stakeholders include the Federal Transit Administration (FTA), WSDOT, King County Metro, Highline Community College, and many other entities including local businesses and residents.

Sound Transit formally began the Alternatives Analysis by conducting “Early Scoping” from October 18th through November 19th and included public open houses on November 8th at Highline Community College and November 13th at Truman High School. An additional “EIS Scoping” period will be conducted towards the end of the Alternatives Analysis process in May 2013 prior to starting the Draft EIS.

Discussion

Sound Transit is now working on the range of potential alternatives, the evaluation framework, and any other concerns that stakeholders asked Sound Transit to consider during the six-step Alternatives Analysis process. The more comprehensive the range of alternatives examined during Alternative Analysis, the better the project and the more complete the environmental record will be. One of the objectives of the Early Scoping period is to generate a range of potential alternatives while reserving judgment about the merits of those alternatives until the analysis has progressed.

Sound Transit staff and their consultants have developed a range of alternative alignments on SR99, I-5, 30th Avenue South and 24th Avenue South including plans and elevated, at grade and mixed cross sections, and a set of planning considerations for a number of possible station locations at South 216th Street, three Kent-Des Moines Road options and two Redondo options. The stakeholders have been provided the opportunity to comment on the accuracy and completeness of these Level 1 ideas as Sound Transit begins to apply screening and evaluation criteria. It should be emphasized that these alternatives represent the full range of what Sound Transit heard from stakeholders this past Fall and do not indicate preferences about alignments, configurations or station locations, only degrees of relative impact.

Staff with input from the Public Safety and Transportation Committee, SeaTac staff and two Council members prepared Attachment 1 to assist in the evaluation of these alternative alignments and station locations. Attachment 1 proposes and further elaborates on the following seven shared prioritized goals for Light Rail Extension:

1. Minimize impacts on businesses and residents
2. Facilitate, not compromise, economic development along alignment
3. Maintain traffic capacity along SR99 and at Kent-Des Moines intersection
4. Be compatible with full build out of SR509 extension to I-5 and collector distributor network to Federal Way
5. Facilitate Highline Community College access and fully mitigate traffic, parking, land use and law enforcement impacts on the College
6. Facilitate *Transit Oriented Development* along alignment and especially at stops
7. Improve local east-west and north-south transit connections as well as regional commuting

Staff recommends that the full Council endorse these shared goals and planning principles through consensus.

At tonight’s meeting, Sound Transit staff will present an abbreviated version (Attachment 2) of a March 14th update to the Sound Transit Board Capital Committee on the Level 1 Alternatives Analysis screening results.

The Public Safety and Transportation Committee will further discuss the Federal Way Transit Extension planning at its April 4th meeting.

Recommendation/Conclusion:

Council, through consensus, support Attachment 1, Link Light Rail Extension Policy Paper.

Link Light Rail Extension Policy Paper

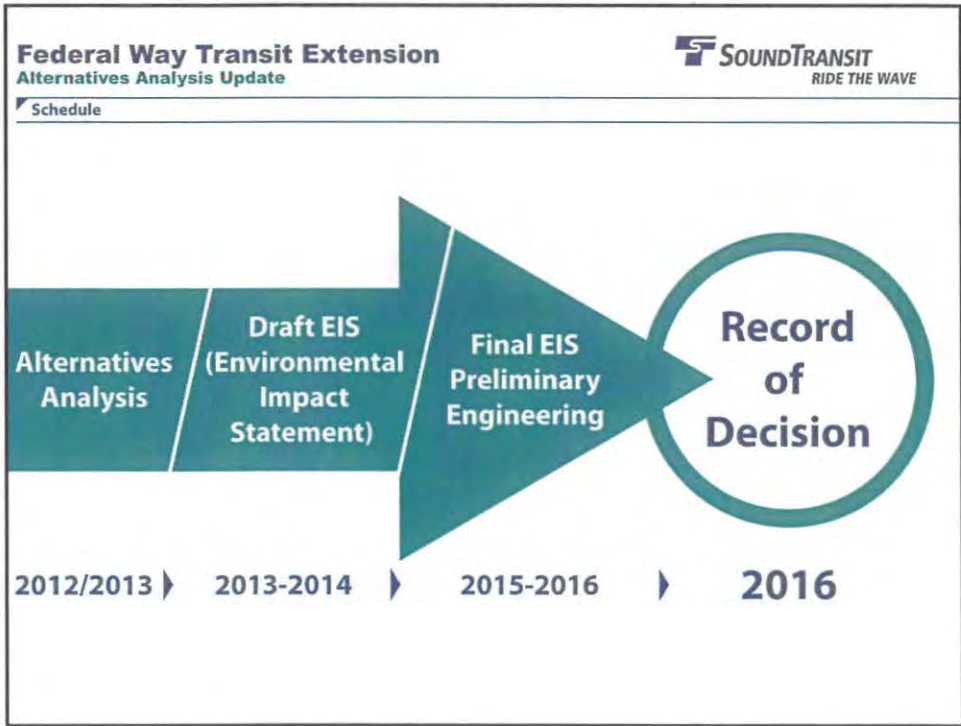
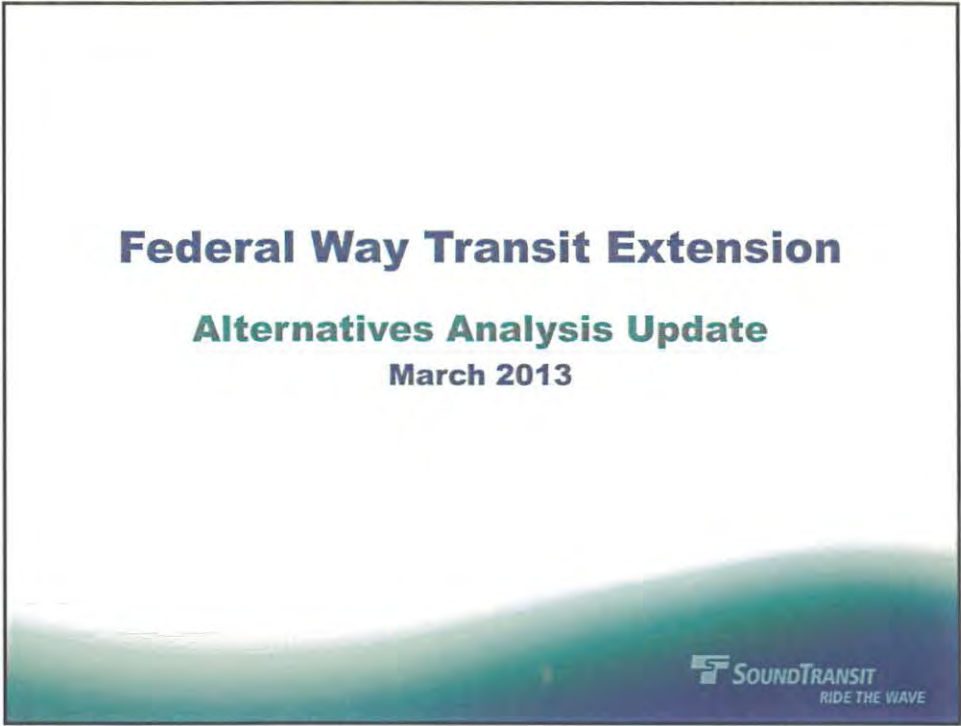
Purpose: For the cities of SeaTac and Des Moines to agree on a framework of prioritized goals and principles to guide decision making on light rail extension and station locations through our respective cities.

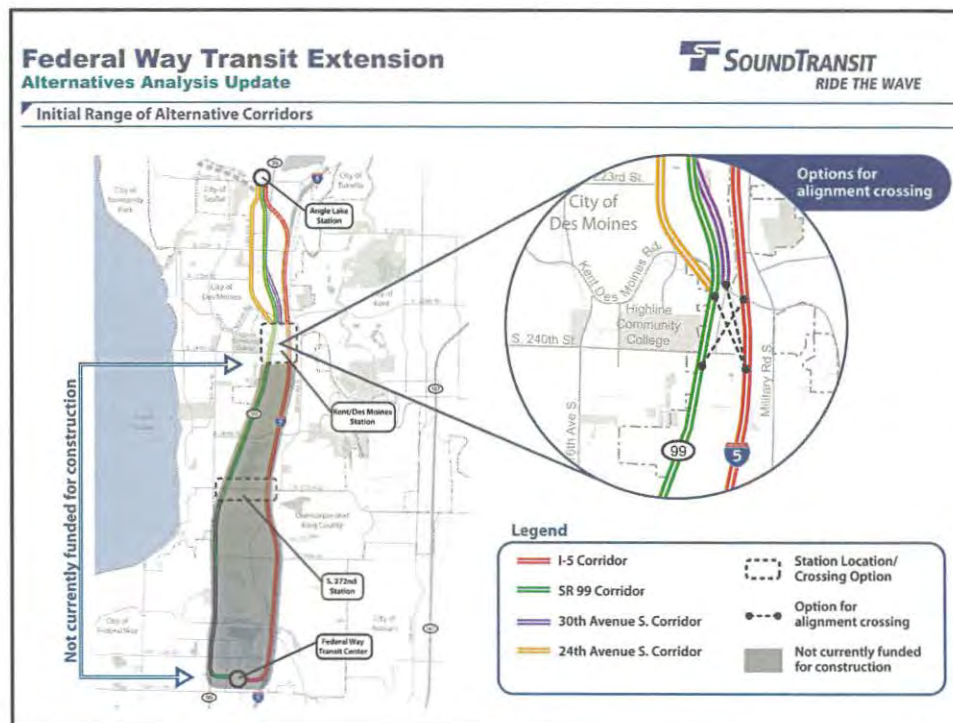
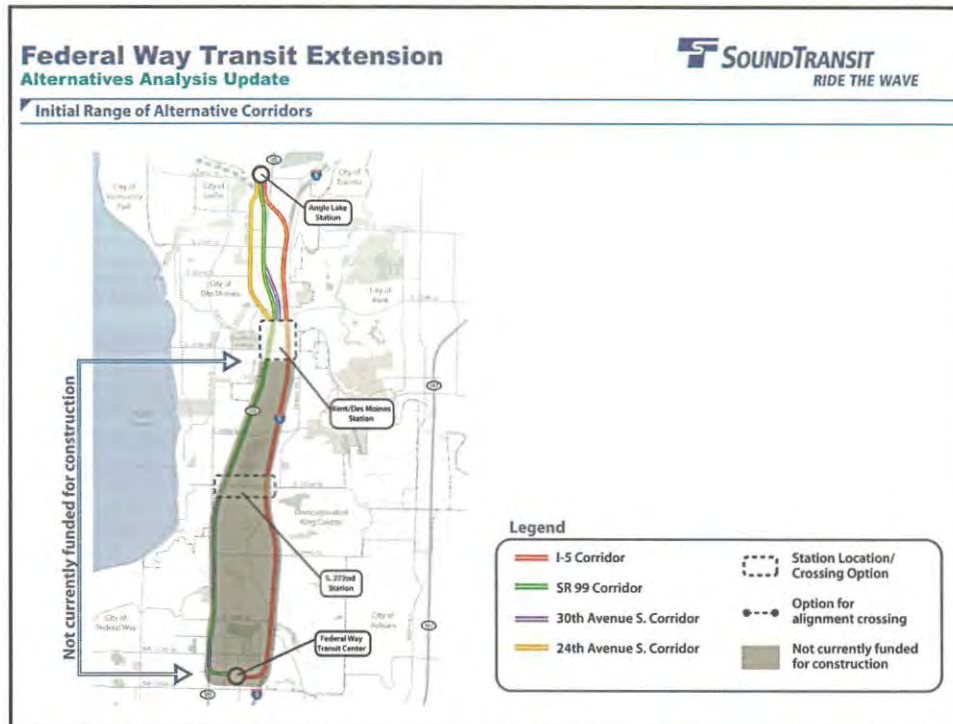
Shared Goals for Light Rail Extension

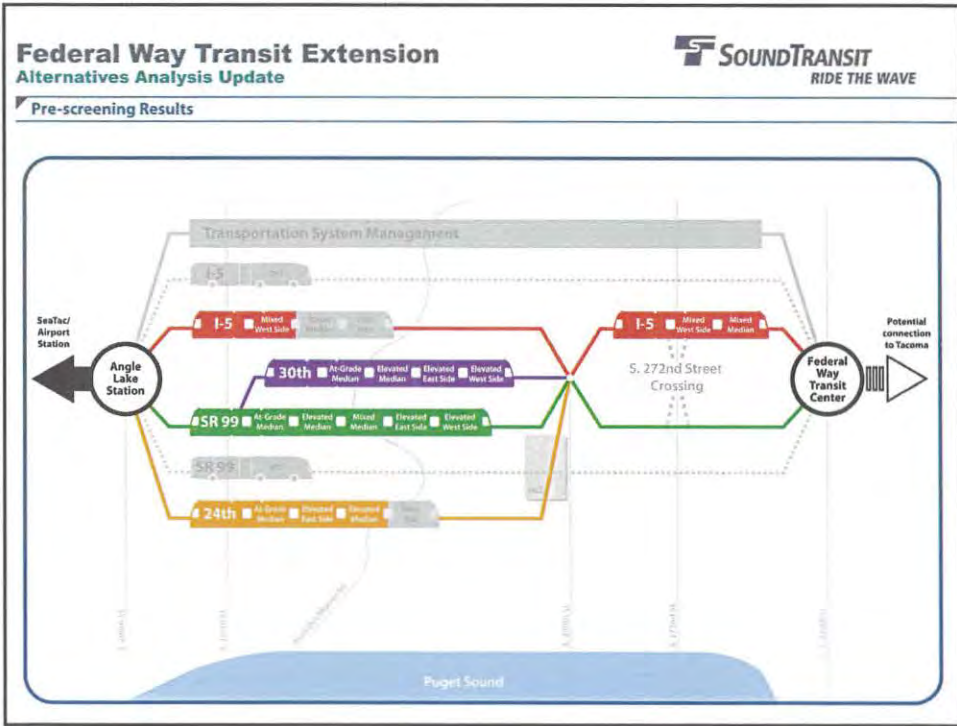
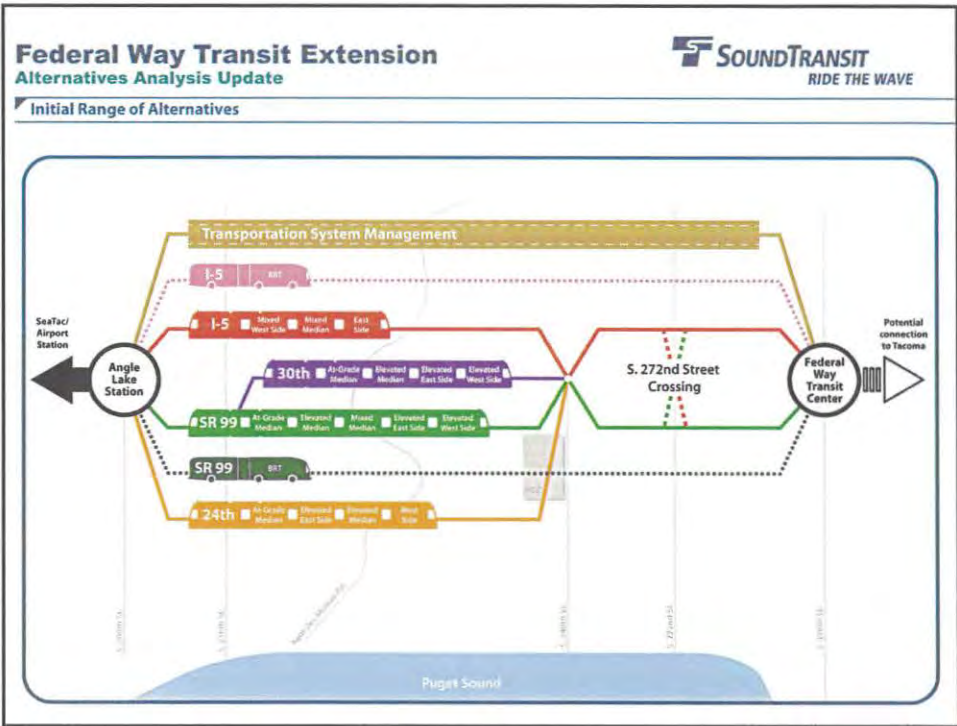
1. Minimize impacts on businesses and residents
2. Facilitate, not compromise, economic development along alignment
3. Maintain traffic capacity along SR99 and at Kent-Des Moines intersection
4. Be compatible with full build out of SR509 extension to I-5 and collector distributor network to Federal Way
5. Facilitate Highline Community College access and fully mitigate traffic, parking, land use and law enforcement impacts on the College
6. Facilitate *Transit Oriented Development* along alignment and especially at stops
7. Improve local east-west and north-south transit connections as well as regional commuting

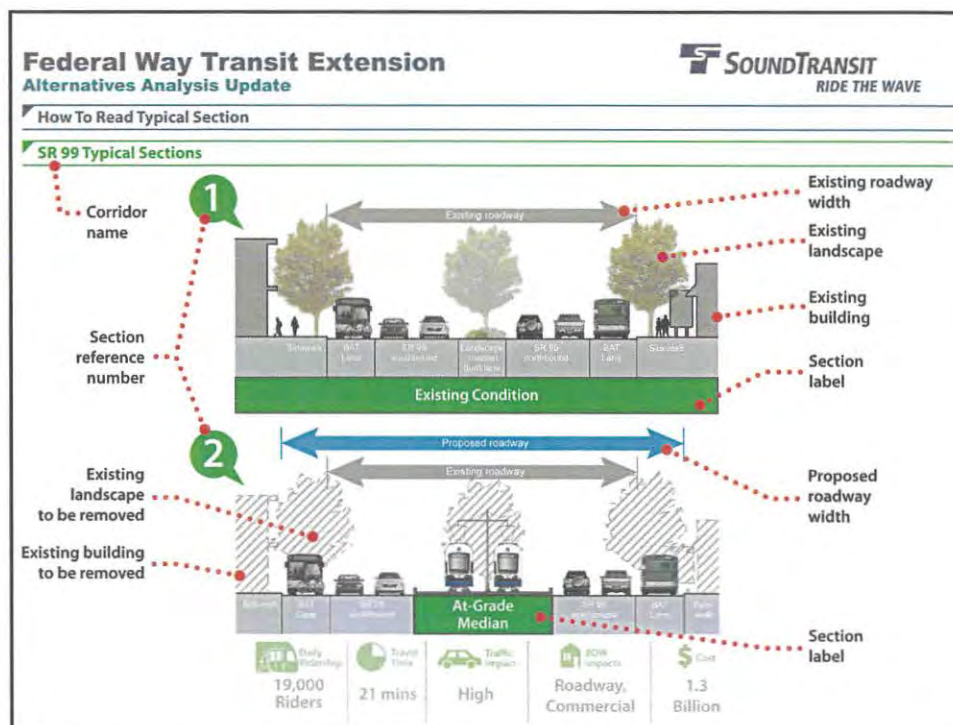
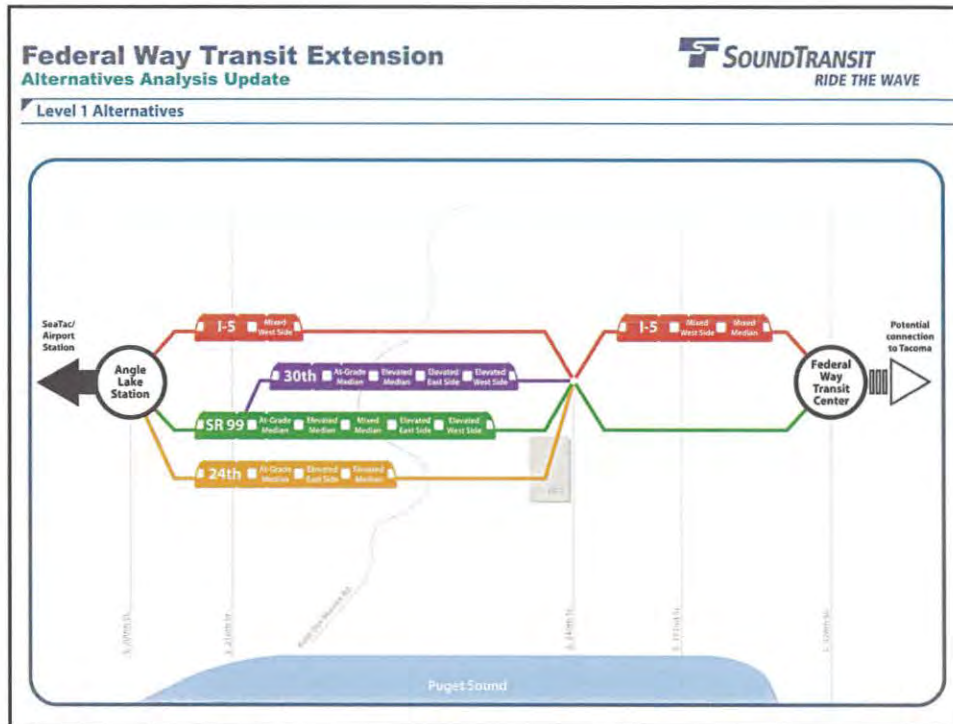
Shared Planning Principles

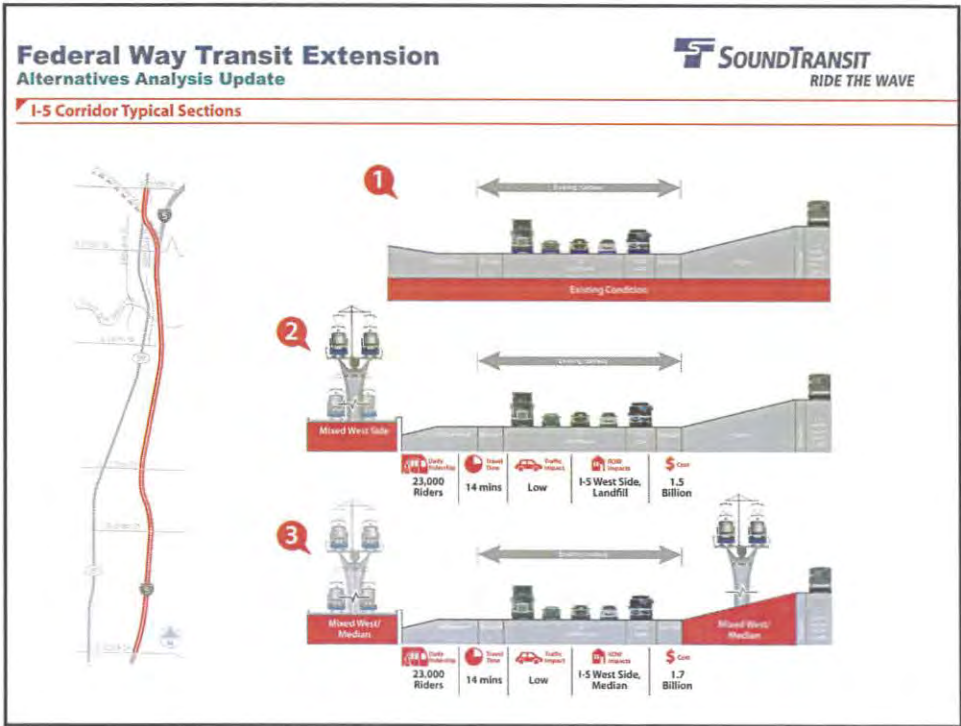
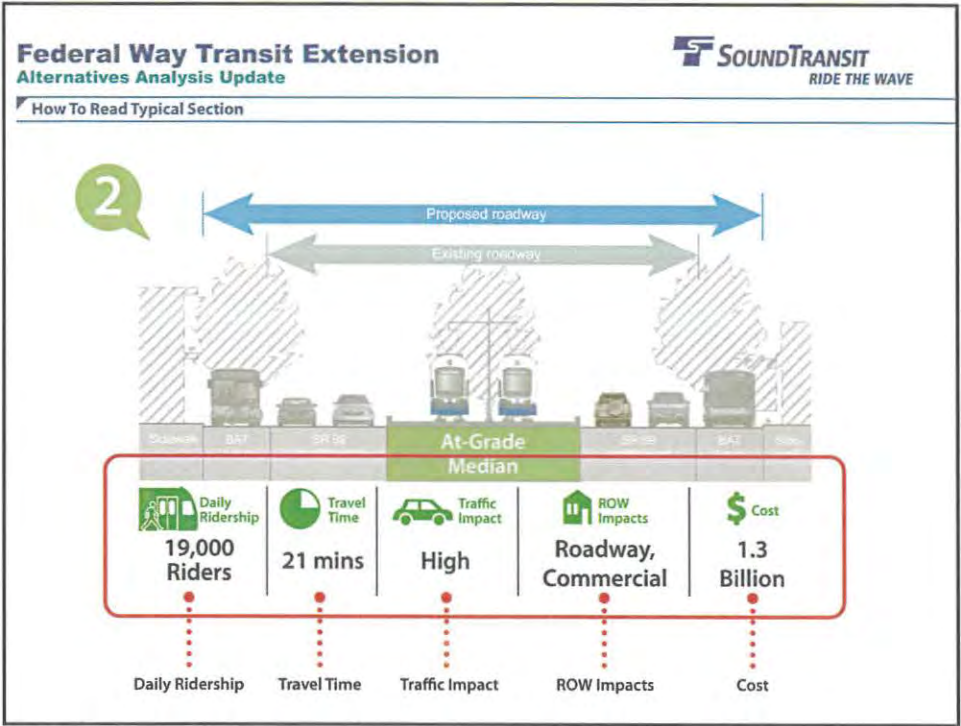
- 1. Minimize impacts on businesses and residents by:**
 - Minimizing condemnation of existing business
 - Not impacting access to existing commercial properties
 - Not bisecting residential neighborhoods between S. 200th and S. 240th, most of which are home to low income families
- 2. Facilitate, not compromise, economic development along alignment by:**
 - Not diminishing the economic value of prime but limited commercial properties
 - Not reducing the developable size or optimum build out of limited commercial properties or limiting their assemblage for larger scale projects
 - Not decreasing the access to vacant or underdeveloped commercial properties
 - Avoiding impacts to properties fronting on the 24th/28th Corridor
 - Accommodating a potential signalized intersection on SR99 at about 212th
- 3. Maintain traffic capacity along SR99 and at Kent-Des Moines intersection by:**
 - Not causing reductions in levels of service along SR99 or at intersections
 - Not reducing local transit efficiency and thereby reduce levels of transit service
- 4. Be compatible with full build out of SR509 extension to I-5 and collector distributor network to Federal Way by:**
 - Not compromising the cost or schedule of either interim or full build out of the SR509 extension including HOV access to SR509 from I-5 or potential I-5 hot lanes
- 5. Facilitate Highline Community College access to Light Rail while maintaining vehicular access and fully mitigating traffic, parking, land use and law enforcement impacts on the College by:**
 - Reducing impacts of interim end-of-line station at the College
 - Provide for all interim and long term parking impacts
 - Fully accommodate and provide S. 236th Lane access with signalized intersection.
- 6. Facilitate *Transit Oriented Development* at stops by:**
 - Fully supporting SeaTac's and Des Moines' long standing and adopted Comprehensive Plans
 - Not limiting the development of properties that would be important in a mix of mid- and high-rise large scale mixed use residential, retail and commercial transit-oriented development
- 7. Improve local east-west and north-south transit connections as well as regional commuting by:**
 - Providing for enhanced east-west feeder or circulating bus services and improved north-south services other than on SR99 through cities

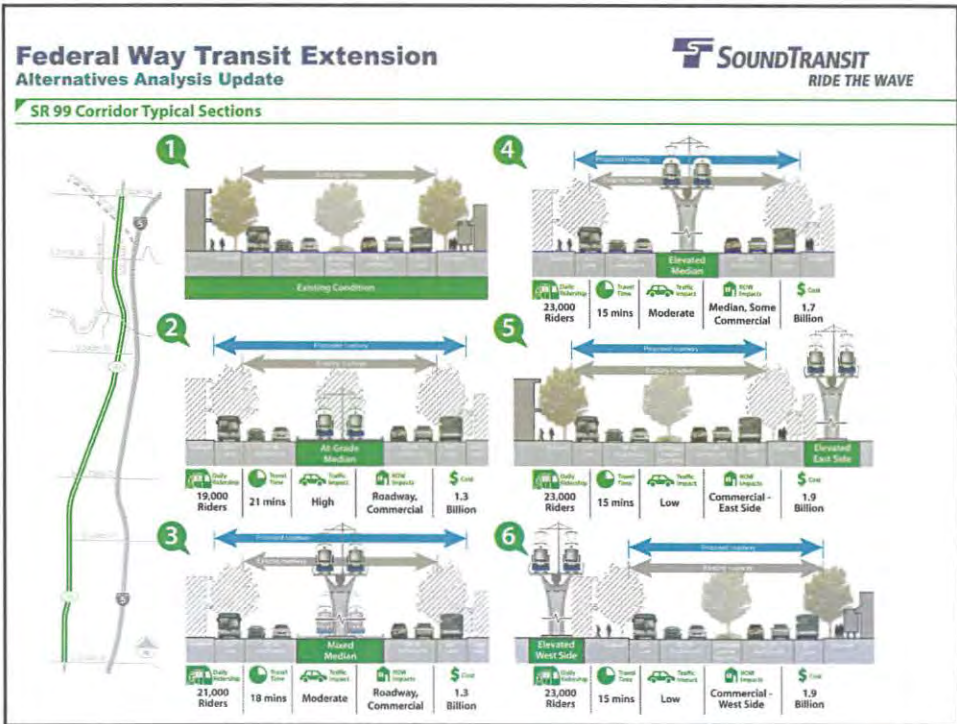
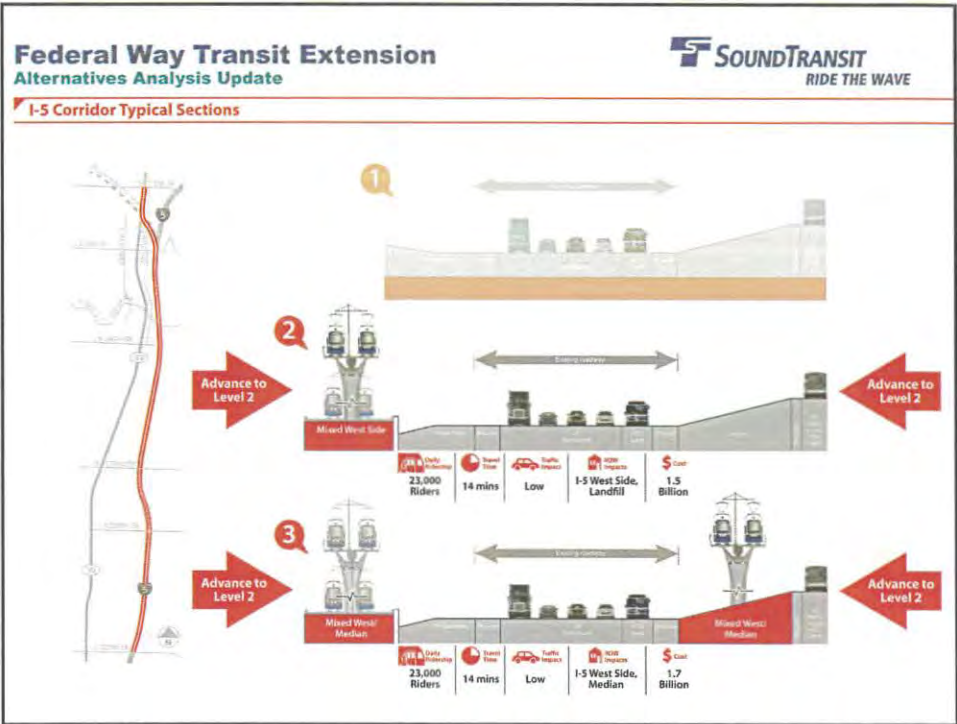


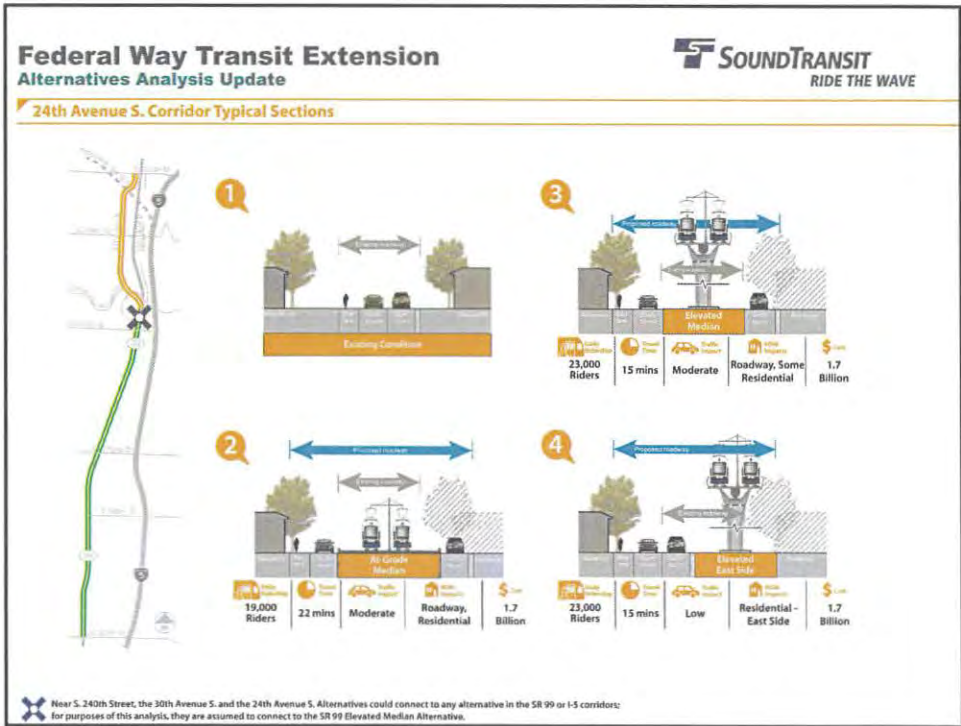
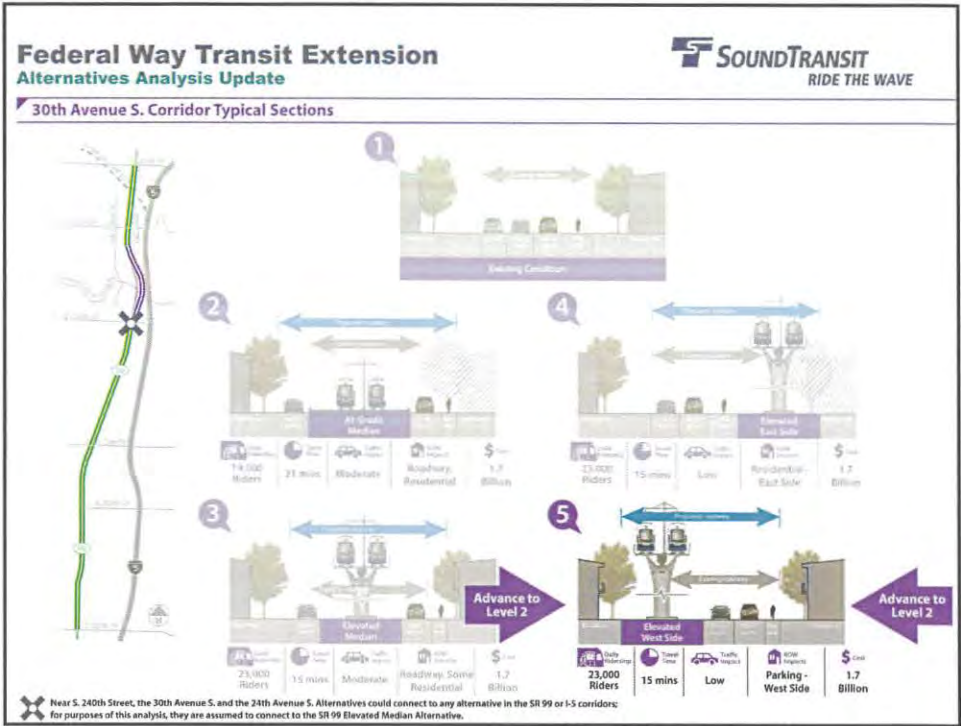


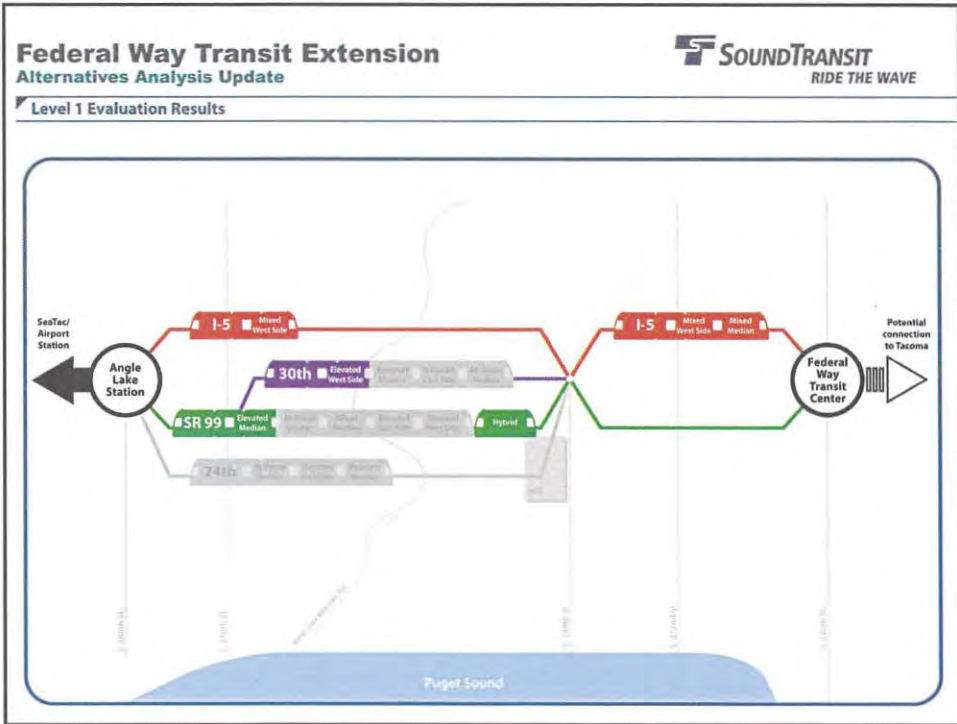
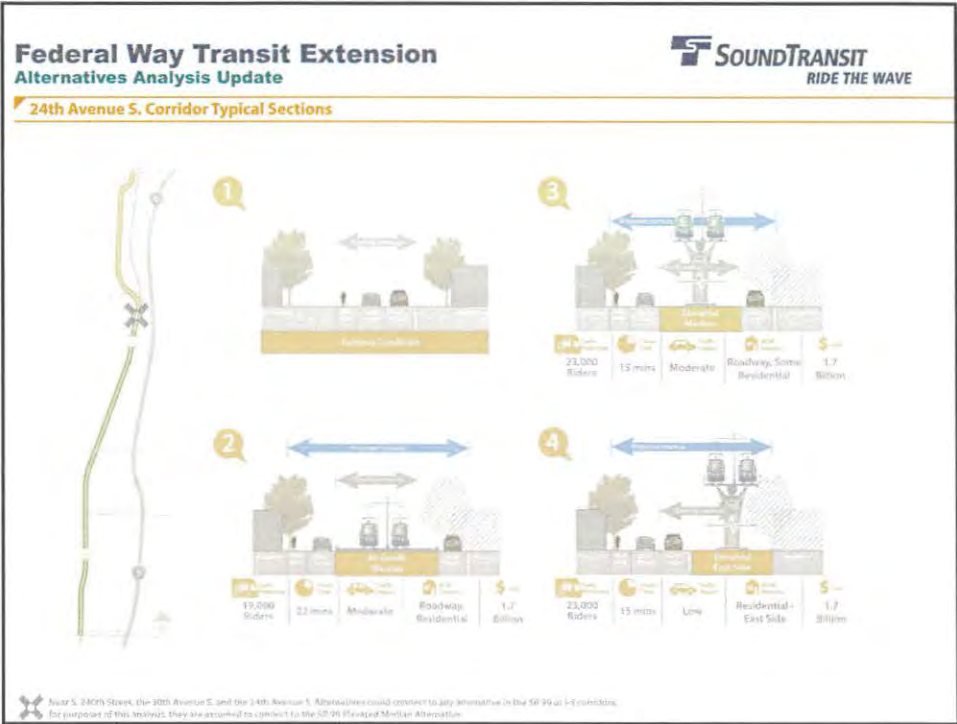


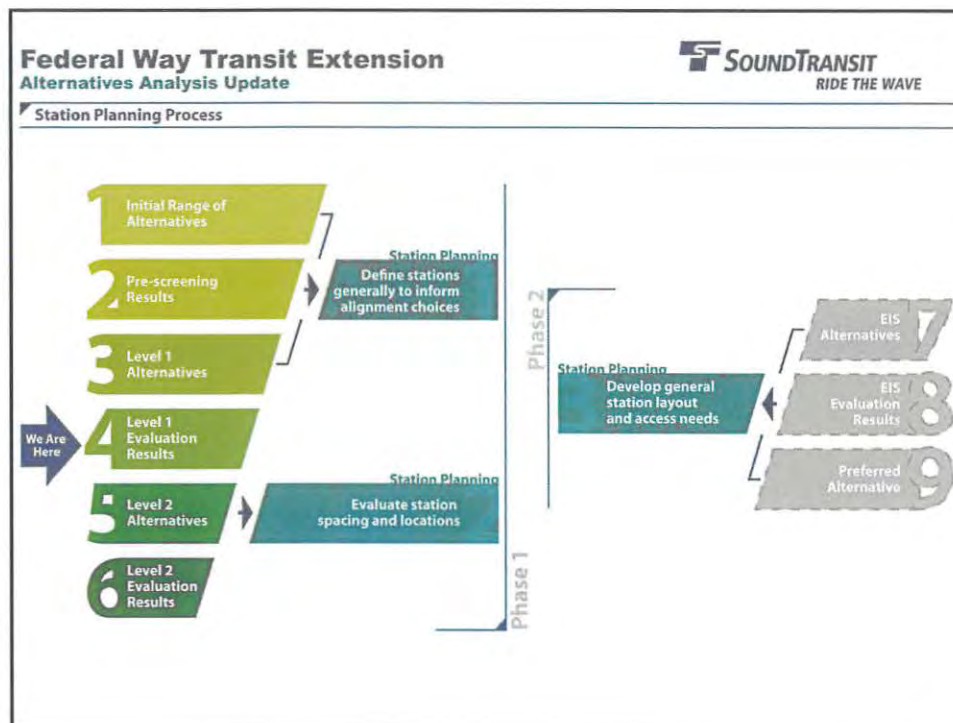
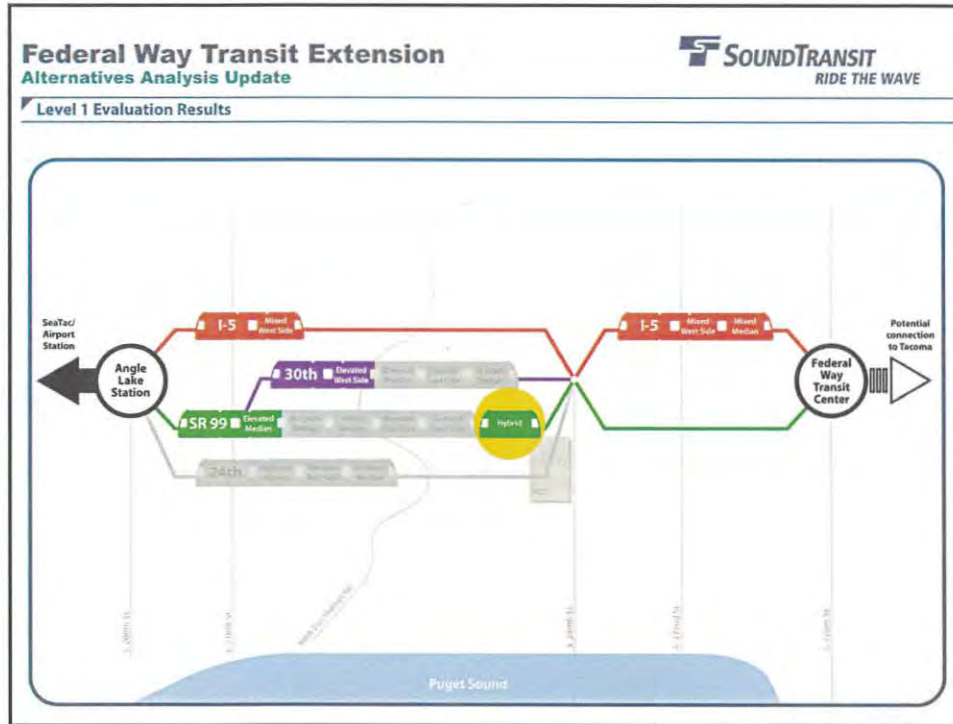










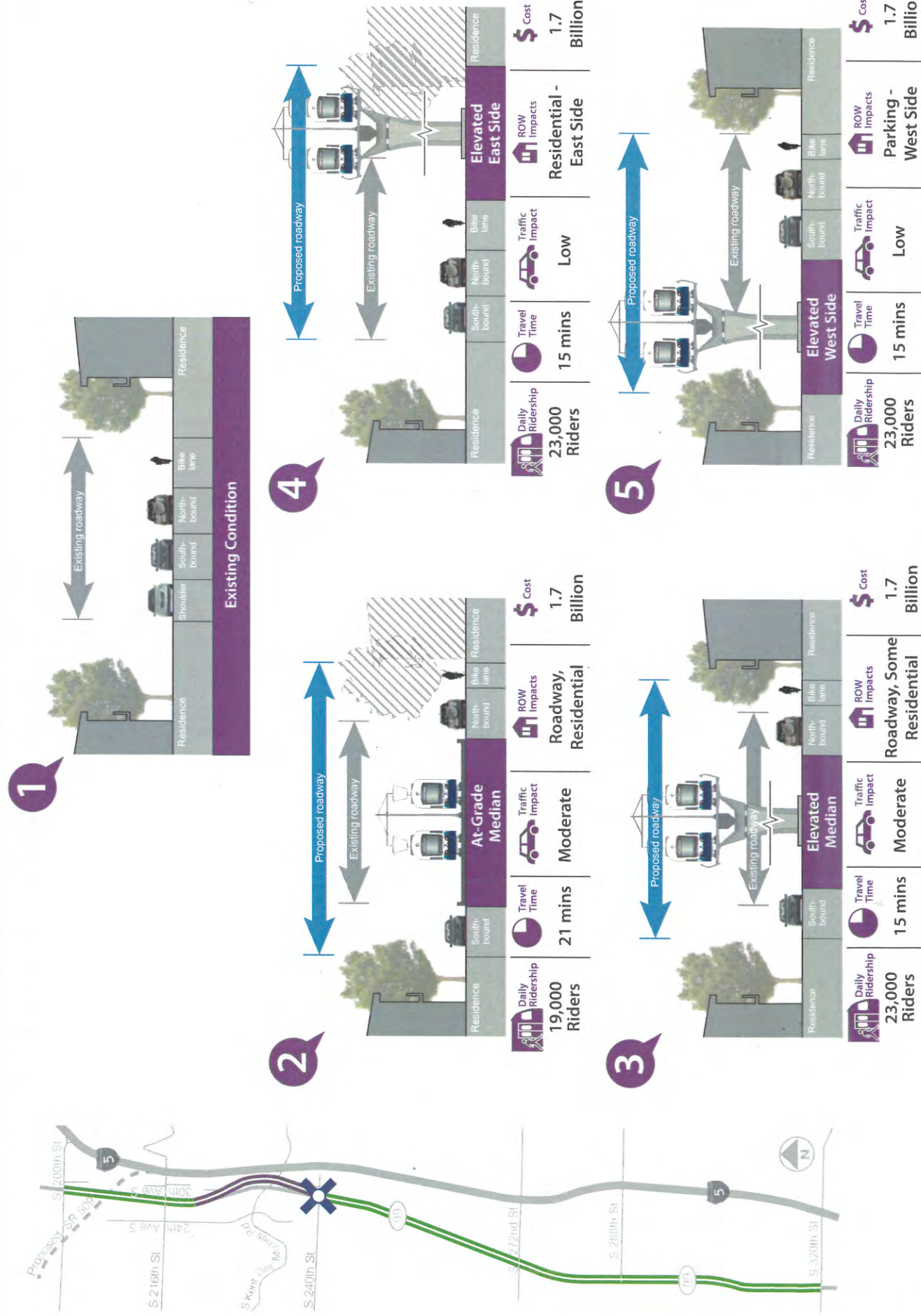




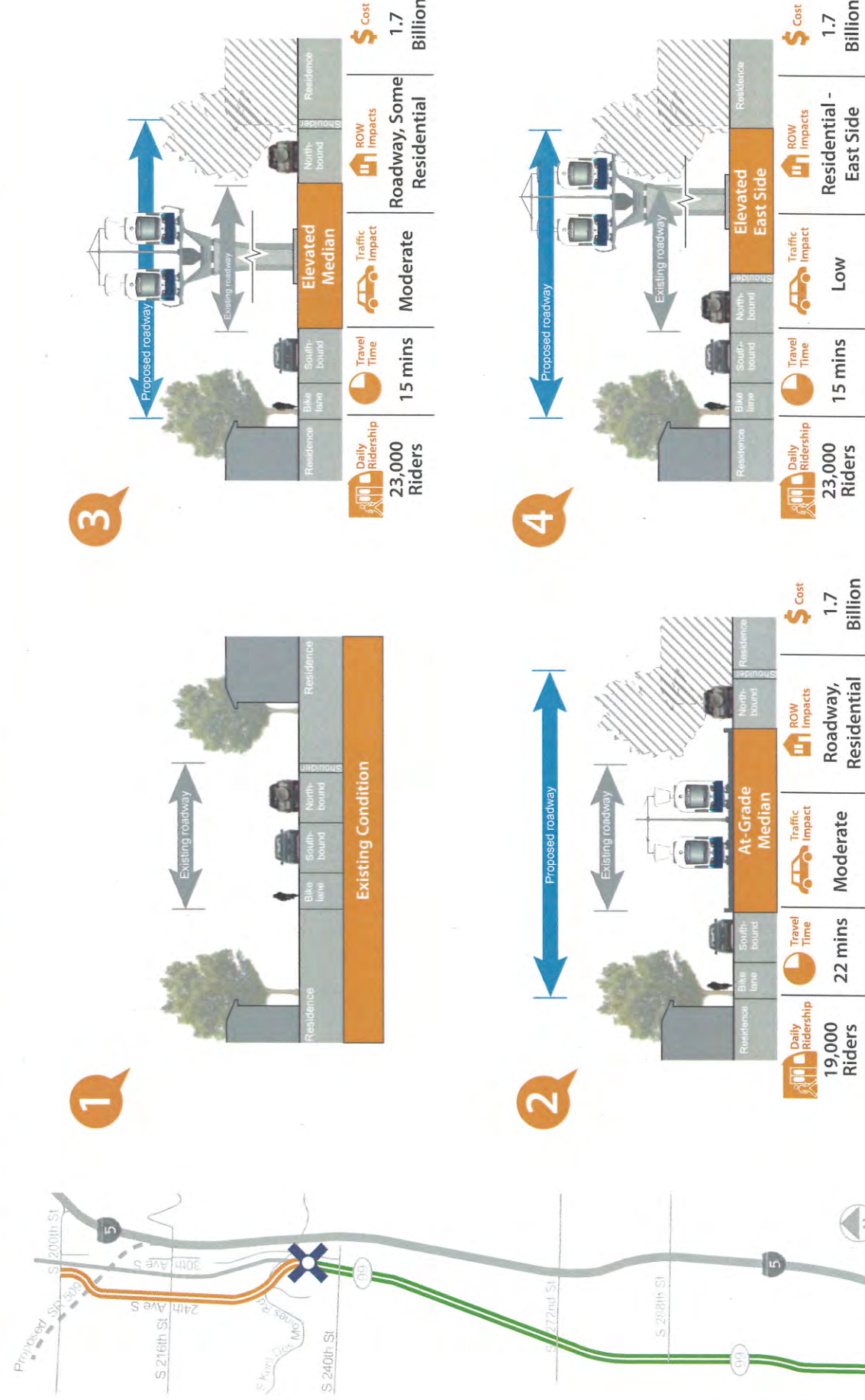
COUNCIL MEETING HANDOUTS

Federal Way Transit Extension Alternatives Analysis Update

30th Avenue S. Corridor Typical Sections



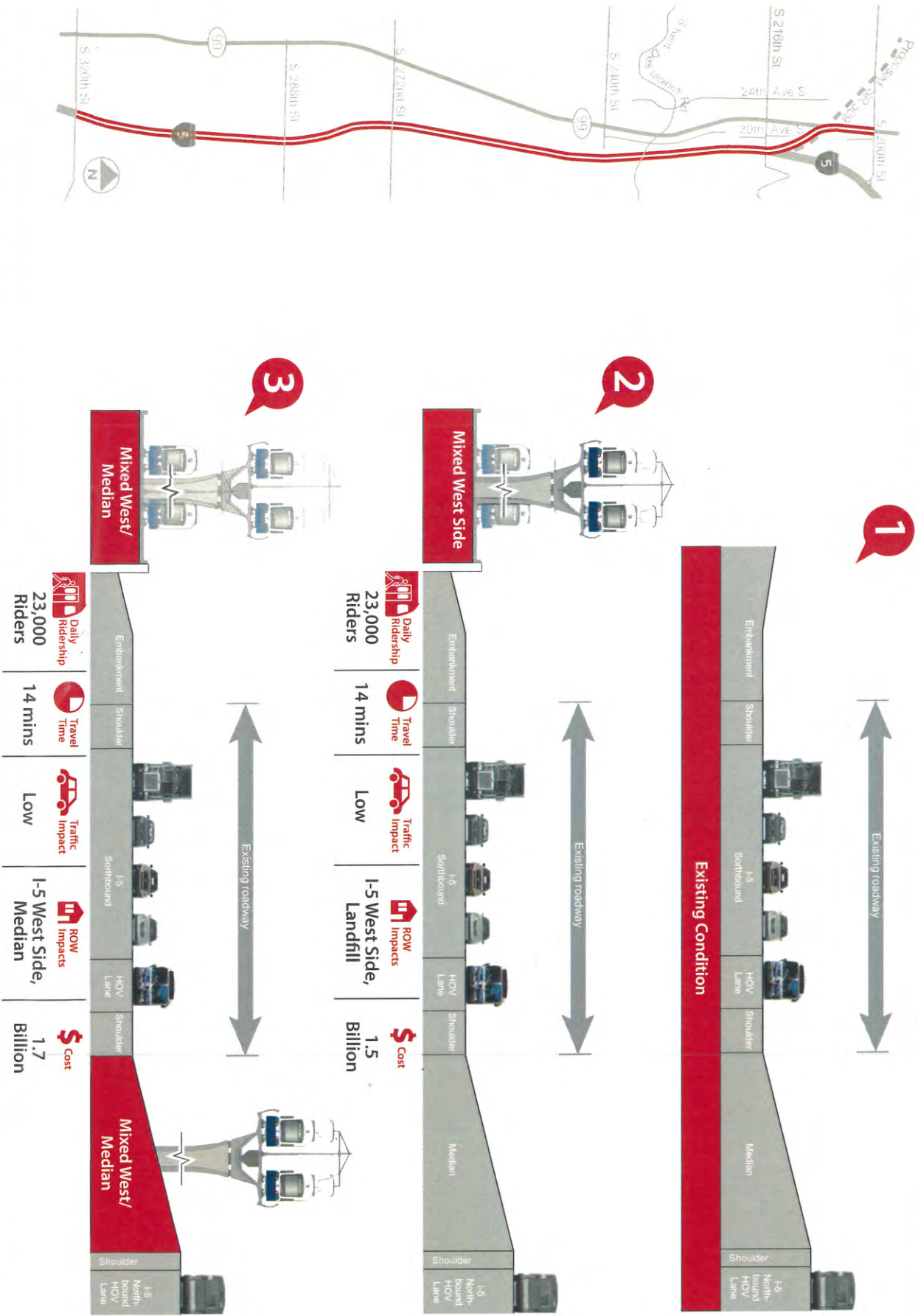
24th Avenue S. Corridor Typical Sections



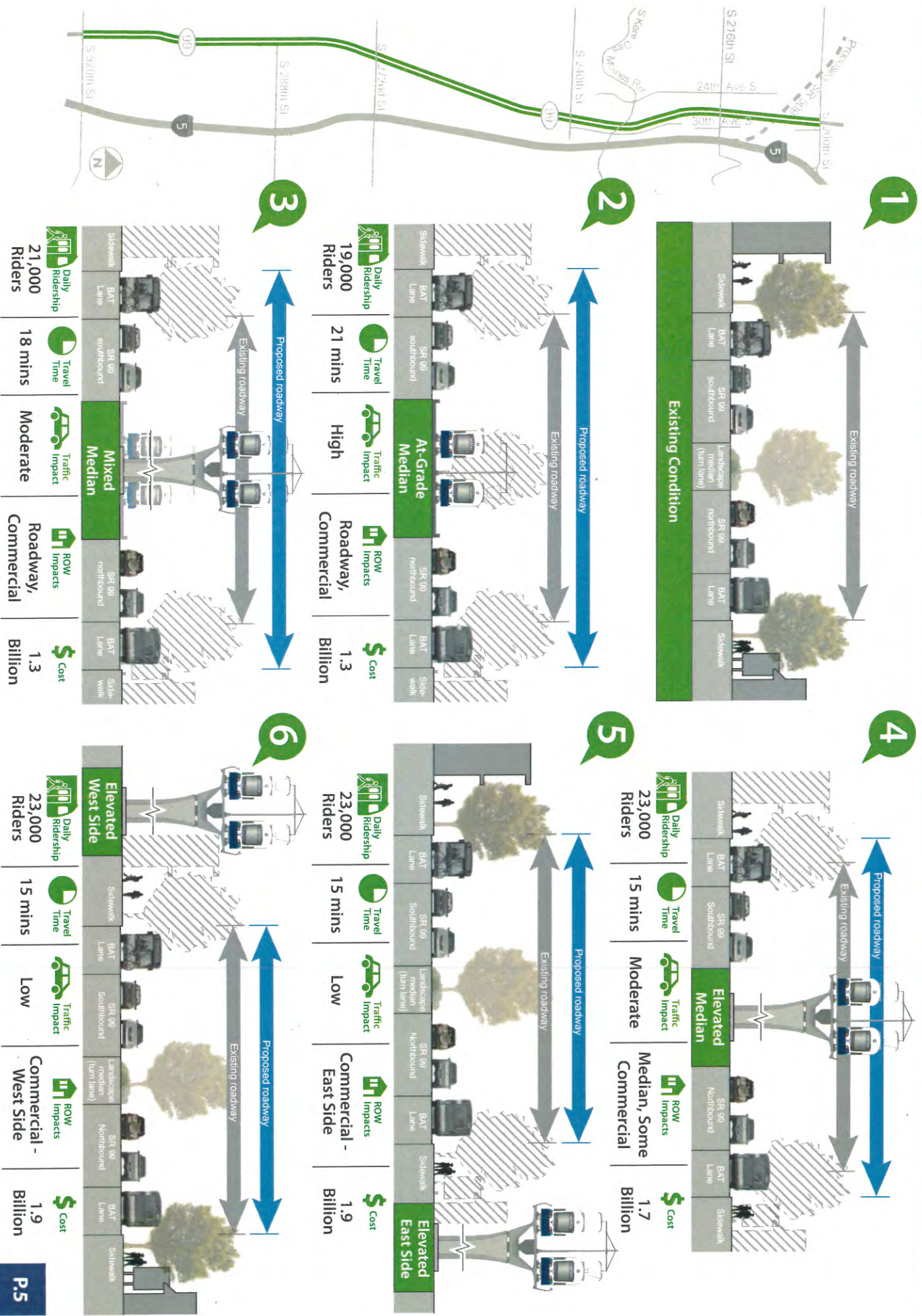
Federal Way Transit Extension

Alternatives Analysis Update

I-5 Corridor Typical Sections



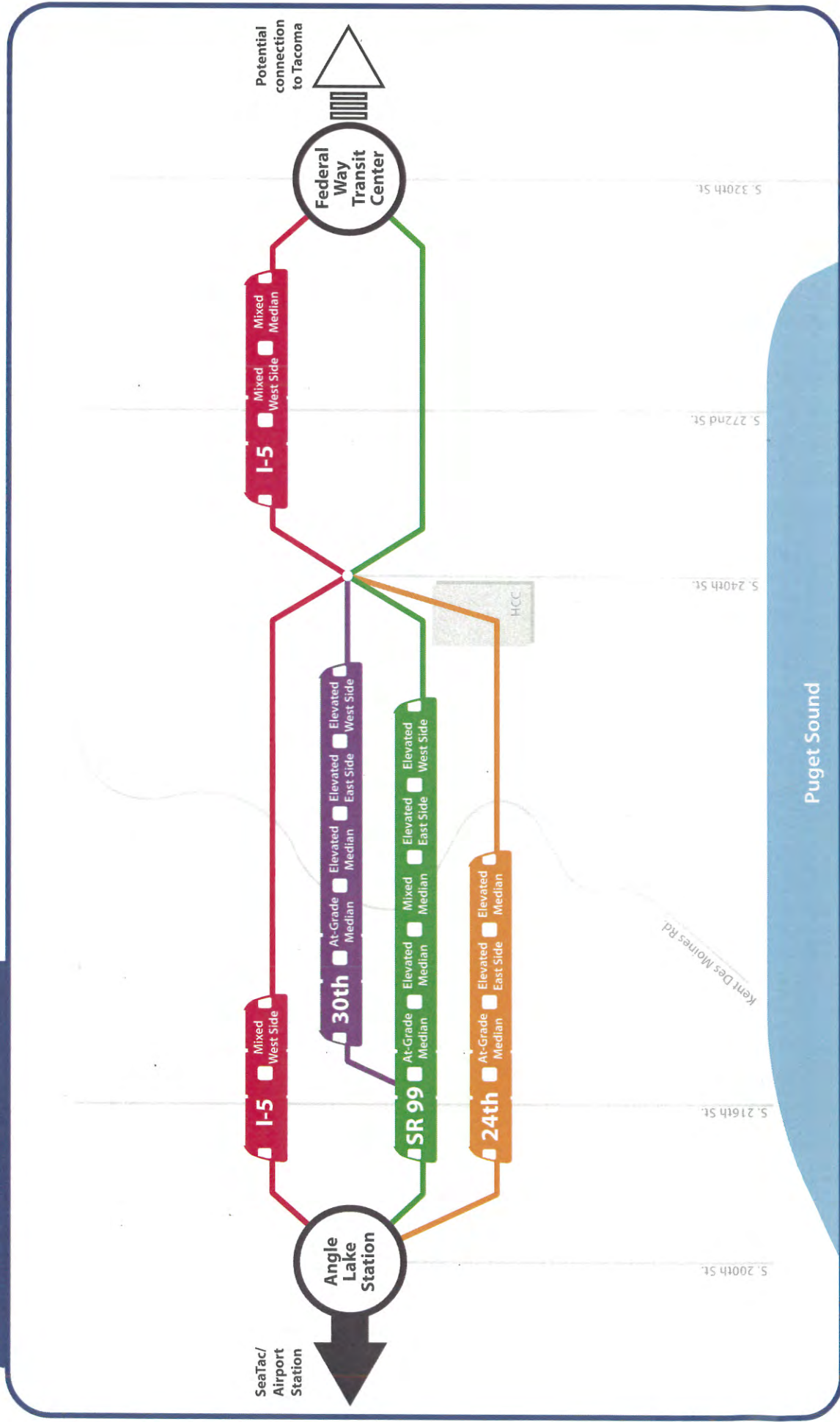
SR 99 Corridor Typical Sections



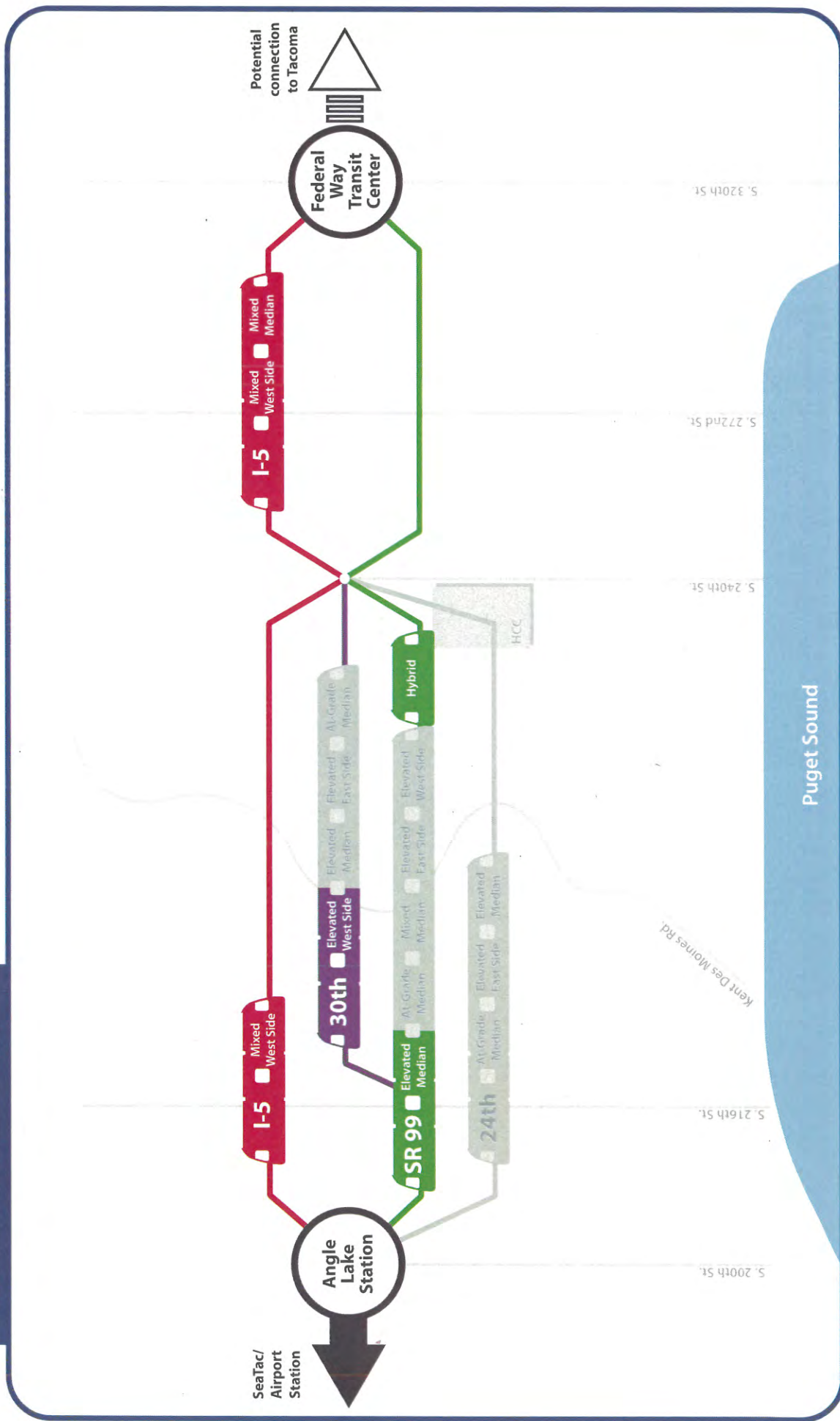
Federal Way Transit Extension Alternatives Analysis Update

Alternatives Analysis Results Overview

3 Level 1 Alternatives



4 Level 1 Evaluation Results



Federal Way Transit Extension

Alternatives Analysis Update

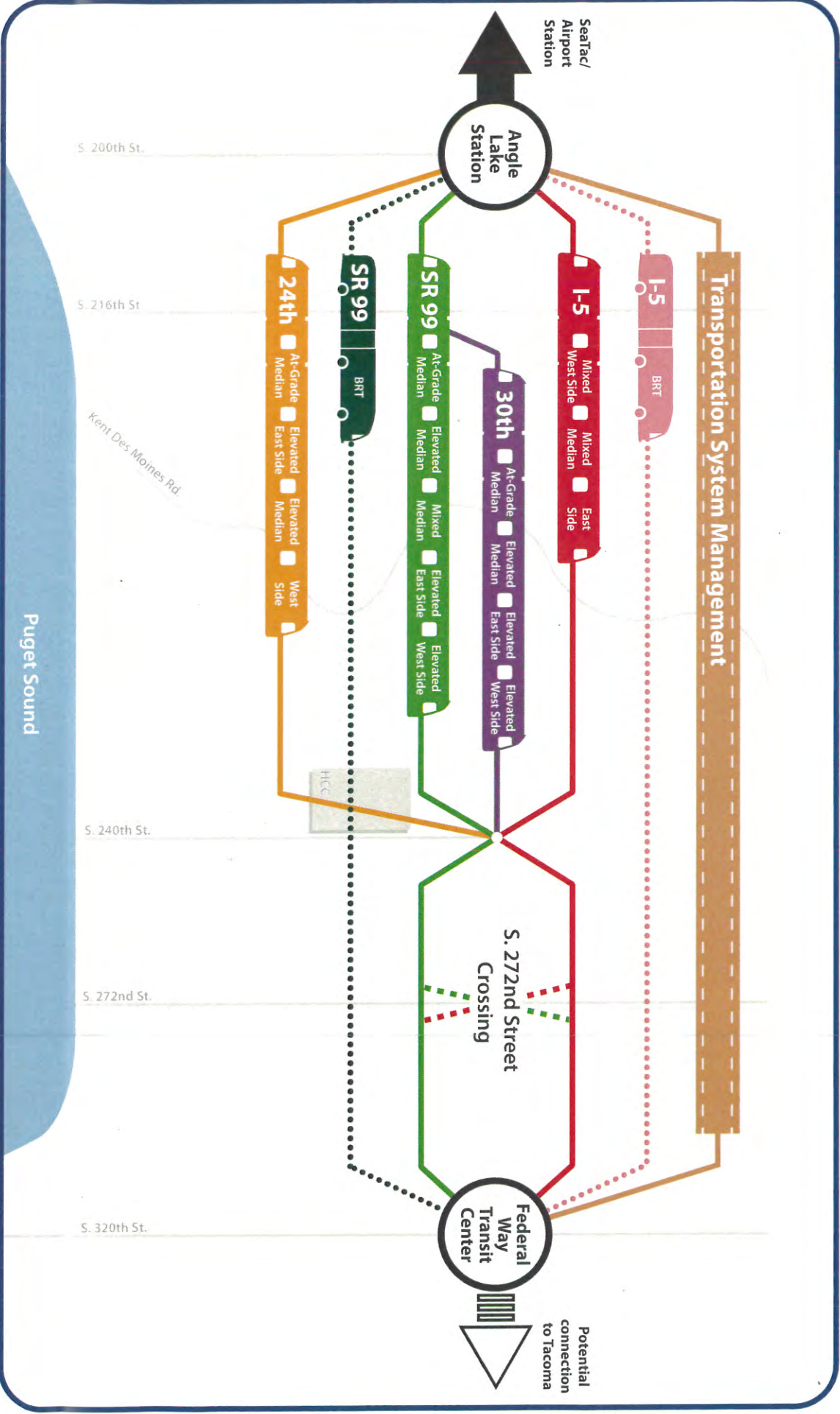


RIDE THE WAVE

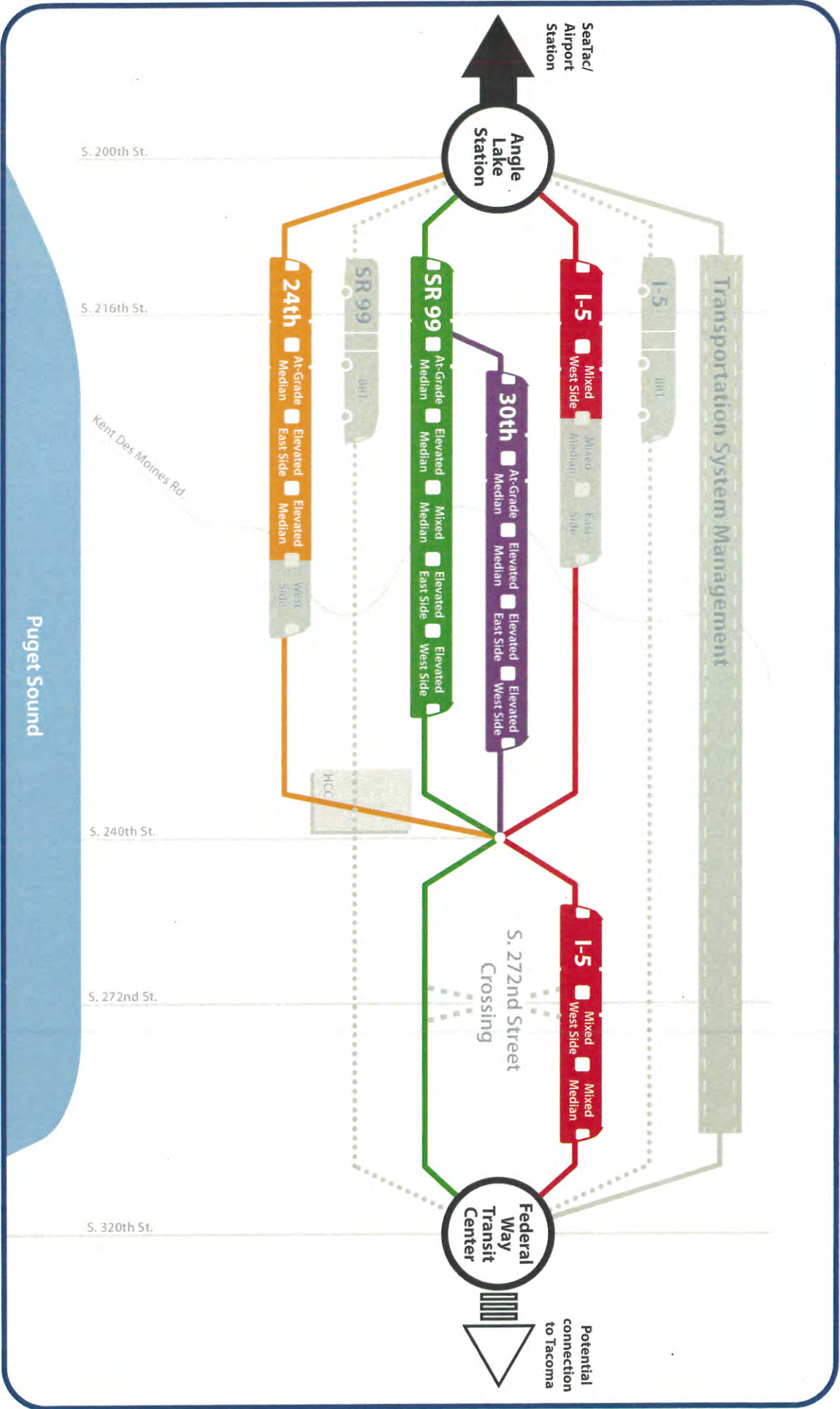
March 2013

Alternatives Analysis Results Overview

Initial Range of Alternatives



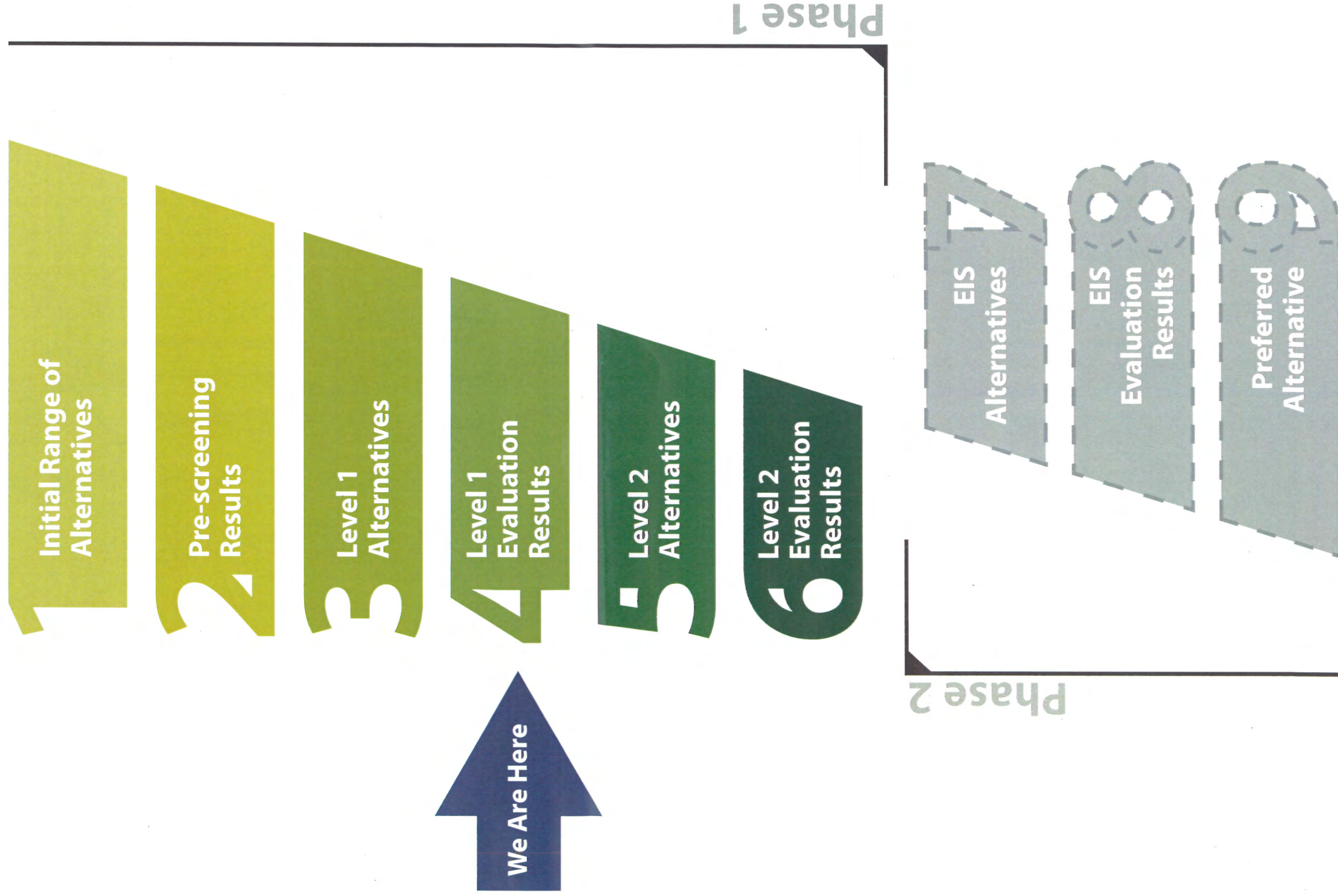
2 Pre-screening Results



Federal Way Transit Extension

Alternatives Analysis Update

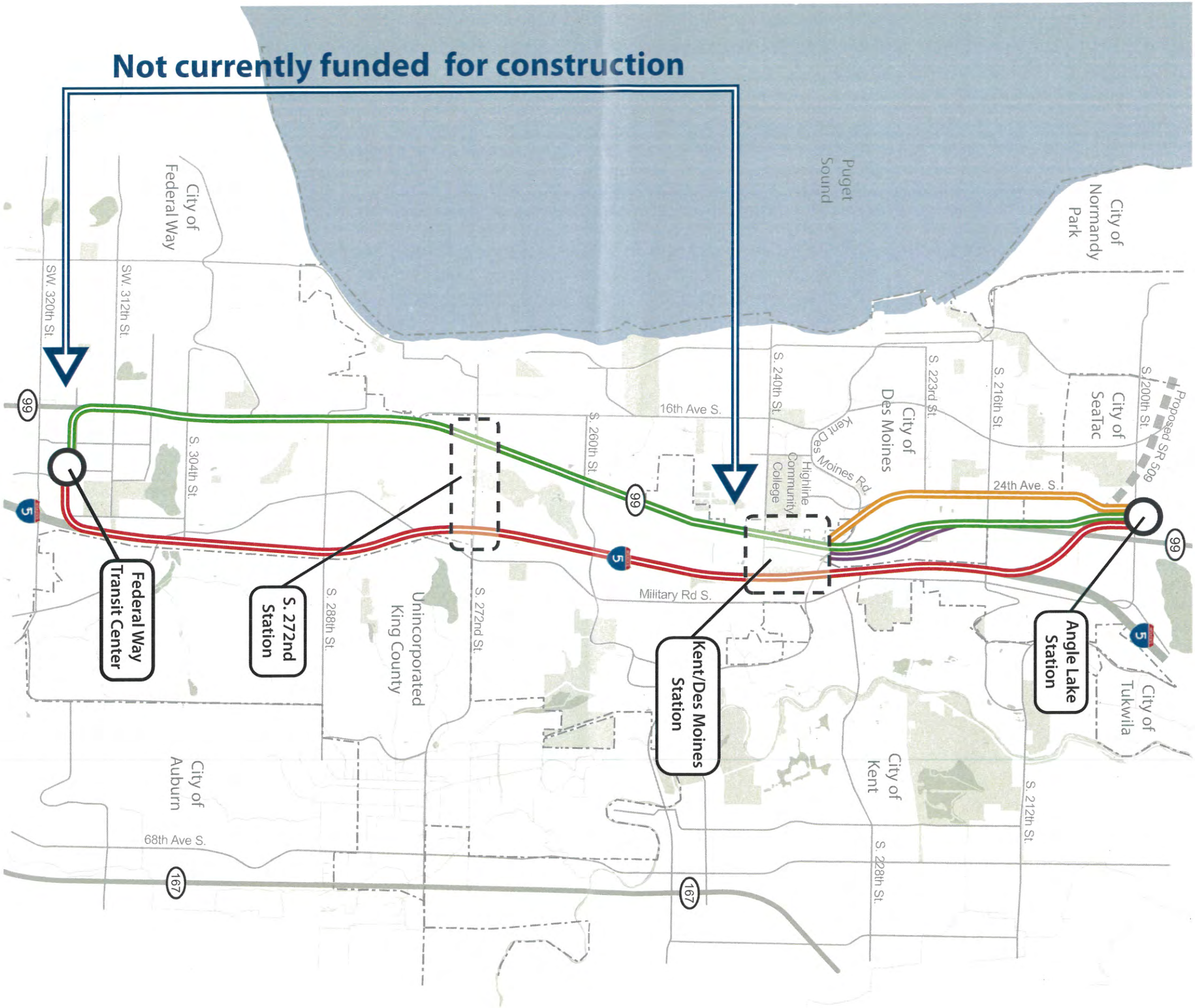
Alternatives Analysis Process



Federal Way Transit Extension

Alternatives Analysis Update

Initial Range of Alternative Corridors



Legend

- I-5 Corridor
- 30th Avenue S. Corridor
- SR 99 Corridor
- 24th Avenue S. Corridor
- Station Location/
Crossing Option