

SPECIAL MEETING DES MOINES CITY COUNCIL

MINUTES

December 8, 1999

The special meeting of the Des Moines City Council was called to order by Mayor Thomasson at 7:35 p.m. in the Council Chambers, 21630 11th Avenue South.

ROLL CALL - Present: Mayor Scott Thomasson, Mayor Pro Tem Terry Brazil, Councilmembers Dave Kaplan, Dan Sherman and Gary Towe (arrived at 7:58 p.m.). Absent: Mayor Thomasson noted that Councilmembers Bob Sheckler and Don Wasson are excused as both are ill. Also present were City Manager Bob Olander, City Attorney Gary McLean, Community Development Director Judith Kilgore, Planning Manager Corbitt Loch and City Clerk Denis Staab.

DISCUSSION ITEMS

Pacific Ridge Zoning Regulations

Community Development Director Kilgore introduced the topic. She noted that the purpose tonight is to allow for Council review and discussion of draft zoning regulations for Pacific Ridge. She reminded Council that the new land use controls, such as maximum building height and permitted uses, are consistent with the council's direction and vision for Pacific Ridge given to staff to date. Staffs intent is that the new rules will be enacted, on an interim or permanent basis, prior to the sunset of the moratorium on March 31, 2000. She proceeded to review the proposed schedule of meeting dates.

Mayor Thomasson commented that he is disappointed that the Planning Agency has not been included in the development of this area. Both he and Councilmember Kaplan felt the Planning Agency could provide valuable input and insight, and help develop specific policies. Consensus was to bring this matter to the Planning Agency for study in January.

In response to questions as to why this was not being handled as a Comprehensive Plan revision, staff advised that the Comp Plan is more of a general level. It was felt that actual development regulations are something people can actually see how it will affect their property.

Planning Manager Loch advised Council that staff is having significant dialogue with property owners and developers alike. He further noted that next week a mailing will be done notifying property owners in the Pacific Ridge area of environmental studies and inviting their comments. He felt it is important to have draft regulations so citizens can see what the proposals are so they can make direct comments on the various issues. He noted that a draft EIS with various guidelines and street standards should be ready by March with the formal public hearings.

7:58 p.m. Councilmember Towe arrived.

City Attorney McLean advised that the public process of this item to date has been high. Council has been talking about the area for several years. He stated that it is important for Council to give staff clear direction to prepare draft regulations prior to it being given to the public. He further informed the Council that the Comprehensive Plan does not have to be amended to adopt these regulations.

Planning Manager Loch proceeded to review various sections of the draft ordinance with Council comments as noted.

- SUBAREAS WITHIN PACIFIC RIDGE ZONE
PR-R - Pacific Ridge Residential (Multifamily Residential)
PR-C1 - Pacific Ridge Commercial 1
PR-C2 - Pacific Ridge Commercial 2

Discussion ensued as to whether the western boundary was proper as the building height of the new zone may conflict too much with the single family zones to the west. It was felt a majority of the area contains a natural buffer with several condominiums and apartments already in place.

PR-R Permitted Uses - Item (3)(a) - Mayor Thomasson noted that limiting to non-residential floor area of 900 square feet per building site would discourage large buildings which was Council's vision. He would prefer to see a ratio developed, or a limit of percentage of first floor. Council concurred.

PR-C1 Permitted Uses - Item (13)(b)(ii) - It was Council's consensus that the concept of "drive-through facilities" should perhaps not be prohibited entirely as there may be cases that may be the exception, i.e. banks.

Councilmember Kaplan requested that staff prepare a list of uses that would essentially be banned entirely within the City limits such as car towing, that are current uses only allowed on Pacific Highway South.

PR-C1 Permitted Uses - Item (13)(a)(i) - Consensus was to strike "Casino Hotels and".

PR-C1 Permitted Uses - Item (11) - After questioning on why this was included, staff explained that nursing and residential care facilities did not fit in with the commercial zone nor provide any tax base to the City.

PR-C1 Permitted Uses - Item (14)(d) - Consensus was to add the word "Commercial" to parking lots and garages.

PR-C1 Permitted Uses - Item (13)(a)(ii)(C) - Limit of 6 to stop the highway from becoming wall to wall hotels and garages as they do not create a good mix of commercial business that would help support the residential zone to the east.

PR-C1 Uses Allowed in Conjunction With a Permitted Use - City Attorney reminded Council that they will adopt specific design guidelines to be used by the Community Development Director in making these determinations.

PR-C2 Permitted Uses - Upon questioning by Council regarding the large Texaco station at the intersection of Highway 99 and Kent-Des Moines Road, staff reminded Council that the use would not automatically go away, but continue as a non-conforming use for the life of the business.

Environmental Performance Standards and General Limitations - Item (4)(a) and (b) - Council questioned if this is doable.

Staff informed Council that they are getting a good flavor from potential developers as to what will be acceptable. City Manager Olander noted that staff will attend a developer's workshop in the near future where they will gain more knowledge on what are the factors that potential developers look at.

9:20 p.m. Mayor Thomasson declared a 5 minute break.

Upon questioning by Council on what has been done to delineate the precise potential routing for the light rail going through this area in the future, staff noted that this would be addressed appropriately in the neighborhood plan in the transportation element. City Manager Olander further advised that neighboring cities of Federal Way, Kent, Sea-Tac and Tukwila are interested in discussing a plan for the corridor route along side of I-5. Council requested that this unified position be given to RTA as early as possible.

Building Heights

Planning Manager Loch reminded Council that the whole concept of Pacific Ridge involves increasing building heights. He noted that it is proposed that in the residential zone, height would be measured from average finished grade and in commercial zones, from medium sidewalk grade.

Councilmember Sherman expressed concern that the property owners on the west side of boundary, west of Highway 99, are not being treated equally regarding building height.

City Manager Olander reminded Council that by establishing a minimum building height the City will be incorporating the Growth Management Act goals. Community Development Director Kilgore noted that this is an extension of GMA and Council must remember this is a long term, 15 to 20 year, project. What is in place now will influence the success in this area 20 years from now.

Dimensional Standards (1) - Lot Area - Mayor Thomasson pointed out that a 5,000 square lot is too small for commercial and is more like a single family sized lot.

(12) PR-C2 - Maximum Building Height (17) - Mayor Thomasson requested that "bonus" needs much more detailed direction and guidelines for the Community Development Director to follow.

In conclusion, Planning Manager Loch advised Council that at the January 6th Council meeting, staff will plan on focussing on permitted uses and the west boundary line of the Pacific Ridge area, on the west side of Pacific Highway South.

Kent and Des Moines City Boundaries

City Manager Olander informed Council that over a year and a half ago, he and Mayor Thomasson met with the Mayor of Kent to discuss the potential of straightening the boundary of Kent and Des Moines along Pacific Highway South. The request was that all property on the west side of Pacific Highway South would belong to Des Moines. He advised Council that Kent had informed them that they would never agree to this politically, or economically. However, he noted recently Kent has agreed to negotiate some minor changes to make emergency responses regarding certain properties and streets more logical.

Community Development Director Kilgore informed Council that over the past several months, Administration has been in negotiations with Kent on a possible resolution to the “saw-tooth” boundary along Highway 99 between Kent-Des Moines Road and South 252nd. With the use of a view foil, she displayed the proposed changes. She pointed out that there are two sites that staff is requesting Council direction on and described them as follows:

Site 1 - Harvey Scuba Manufacturing Site

The majority of the site is currently located within the City of Kent. The property owner has requested that the small portion currently in Des Moines go to Kent.

Staff concurs with this recommendation.

Site 2 - Property located immediately behind the Midway Square

The City of Kent is in the process of purchasing this site for stormwater detention purposes. In the past staff has had great concerns of this wetland property (major portion currently in Kent) being commercially developed. Public Works Director has hopes to be able to use a portion for detention facilities for the Highway 99 project.

Community Development Director Kilgore advised that staff recommends this site be included within Kent’s borders if the following conditions are met:

1. The City of Des Moines has an opportunity to provide input and direction during the SEPA process.
2. The site is used only for detention purposes, development will not be allowed on the site.
3. The City of Des Moines is allowed to use this facility as part of our Highway 99 improvements.

Upon questioning by Council, City Attorney McLean explained that each city’s Council’s will need to pass a resolution to present to the Boundary Review Board for final action. He advised that the BRB will not “step in” and straighten out this boundary on its own. This can only be achieved by mutual agreement of the cities involved.

Mayor Thomasson voiced the opinion that this helps solve some serious service issues and is a step in the right direction considering Kent did not want to talk about any changes a short time ago.

Councilmember Sherman voiced strong objections as he feels Kent is holding Des Moines “hostage” to the Midway Square property which is one of the main entrances to the City of Des Moines. Therefore, he cannot support this proposal.

Council's direction, 4 to 1, was to have staff prepare the proper documentation to proceed with this boundary revision.

Interlocal Agreement with Tukwila for Video Court Services and Facilities

City Attorney McLean distributed a draft Interlocal Agreement for Council's review. He requested that Council take action on this item at tomorrow night's regular Council meeting.

METRO Route Cuts

Mayor Pro Tem Brazil noted that he has a new map which shows various route cuts. In particular, Des Moines will lose the new route 189.

State Legislature - State and Local Government Sub-Committee Meeting

City Manager Olander informed Council that he will be in Olympia on Monday, at the request of Representative Patterson, to testify on the impacts of I-695 to the City of Des Moines.

NEXT MEETING DATE

Mayor Thomasson noted the next meeting date is the regular meeting on December 9, 1999.

ADJOURNMENT

The meeting was adjourned at 10:23 p.m.

Respectfully submitted,

Denis Staab
City Clerk