

Richard

AMENDED

AGENDA
REGULAR MEETING DES MOINES CITY COUNCIL
March 22, 2007 - 7:30 p.m.

CALL TO ORDER - Mayor Sheckler

PLEDGE OF ALLEGIANCE

ROLL CALL

CORRESPONDENCE

7:00 PM
Exec. Session

COMMENTS FROM THE PUBLIC: At this time you are invited to comment on items that you wish to bring to Council's attention. Please sign in prior to the meeting and limit your comments to three minutes or less.

BOARD & COMMITTEE REPORTS

PRESIDING OFFICER'S REPORT

COUNCILMEMBER COMMENTS

ADMINISTRATION REPORTS

CONSENT CALENDAR*

1. Motion is to approve the regular minutes of February 22 and March 1, 2007.
2. Findings: Vouchers 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.

Motion: As of this date the Des Moines City Council, by unanimous vote, does approve for payment those vouchers and payroll transfers included in the above list and further described as follows:

Claim checks # through # & electronic fund transfers in the total amount of \$

Payroll fund transfers in the total amount of \$

3. Motion is to authorize staff to dispose of two pieces of Marina surplus property, a large capacity exhaust fan and the touch and go float, in a manner most advantageous to the City.
4. Motion is to approve the use of the Marina for a classic car and boat show on July 14, 2007, providing that the City Manager approves the operations and site plan for the event.
5. Motion is to approve the agreement between the City of Des Moines and the Highline School District for the City to provide a police officer to serve as a school resource officer and for the District to compensate the City for ten months of salary and benefits not to exceed \$86,000 for the ten months the officer will be assigned to the school as described in the Interlocal Agreement and to authorize the City Manager to sign the Agreement substantially in the form as submitted.
6. Draft Resolution No. 07-066 - Title: A Resolution of the City Council of the City of Des Moines, Washington, authorizing Interfund loans to the Police Services Restoration Fund from

the Revenue Stabilization Fund in the amount not to exceed \$250,000, authorizing the repayment of the Interfund loans by the Police Services Restoration Fund to the Revenue Stabilization Fund, and setting the schedule for repayment and interest calculations on or before December 31, 2007.

MOTION is to approve Draft Resolution No. 07-066.

7. Draft Resolution No. 07-070 - Title: A Resolution of the City Council of the City of Des Moines, Washington, adopting the Federal National Incident Management System (NIMS) for the City of Des Moines.

MOTION is to approve Draft Resolution No. 07-070.

*NOTE: Items on the Consent Calendar are either routine or have been previously discussed. Any item may be removed by a Councilmember.

OLD BUSINESS

NEW BUSINESS

1. Pacific Ridge Vision & Zoning Code

SUMMARY: The purpose of this agenda item is to provide the Council an opportunity to discuss the Pacific Ridge vision and code with members of the Development Community and consider changes that may be necessary to facilitate the re-development of the Pacific Ridge Neighborhood.

Staff Presentation: Planning, Building & Public Works Director

2. Update on Shoreline Master Program

SUMMARY: The purpose of this item is to inform the full Council on the status of the Shoreline Master Plan and establish a specific date that the Council will review staff edits.

Staff Presentation: Planning, Building & Public Works Director Fredericks

3. Des Moines Arts Commission Program Proposal and Budget Request

SUMMARY: The purpose of this agenda item is to request Council's approval of the proposed 2007 Des Moines Arts Commission program and the proposed amendment to the 2007 Budget related to expenditures and revenues. The Council appropriated \$10,000 funding for Arts Commission programs in the 2007 General Fund Budget. The Commission has secured \$9,000 grant funding and seeks Council approval to increase its appropriation to reflect this change.

Staff Presentation: Parks & Recreation Director

NEXT MEETING DATE - Study Session April 5, 2007

ADJOURNMENT

PRELIMINARY
REGULAR MEETING DES MOINES CITY COUNCIL

MINUTES

February 22, 2007

At 7:35 p.m., City Manager Piasecki announced that the Council would remain in Executive Session for a few more minutes.

The regular meeting of the Des Moines City Council was called to order at 7:37 p.m. by Mayor Sheckler in the Council Chambers, 21630 11th Avenue South, #B.

PLEDGE OF ALLEGIANCE to the Flag was led by Councilmember Pina.

ROLL CALL - Present: Mayor Bob Sheckler, Councilmembers Dave Kaplan, Ed Pina, Dan Sherman and Susan White. Absent: Mayor Pro Tem Scott Thomasson and Councilmember Carmen Scott. Also in attendance were City Manager Tony Piasecki, Acting City Attorney Richard Brown, Land Use Planner II Jason Sullivan, Parks and Recreation Director Patrice Thorell, Planning, Building and Public Works Director Grant Fredricks, and Deputy City Clerk Angela Chaufy.

MOTION was made by Councilmember White, seconded by Councilmember Sherman and passed unanimously to excuse Mayor Pro Tem Thomasson and Councilmember Scott from attendance.

BOARD & COMMITTEE REPORTS AND COUNCILMEMBER COMMENTS

City Attorney Interviews

Councilmember Pina announced that he and two other Councilmembers had participated in the City Attorney interviews. Six candidates had been interviewed.

Suburban Cities Association

Councilmember Pina announced that he had attended the Public Issues Committee meeting last evening. A report regarding SCA's final position on the revised Multicounty Planning Policies by the Puget Sound Regional Committee had been distributed to Council. Councilmember Pina noted that he had made a motion to address the double taxation of the County.

Tall Ship Festival

Councilmember White reported that she was working with the City of Tacoma to involve Des Moines in the 2008 Tall Ship Festival.

Public Works Project

Councilmember White commended the Public Work Maintenance staff for their work on a Redondo area project.

PRESIDING OFFICER'S REPORT

Jail Site Taskforce

Mayor Sheckler announced that he and City Manager Piasecki were members of a taskforce to identify funding and a location for a jail facility in south King County.

ADMINISTRATION REPORTS

City Attorney Interviews

City Manager Piasecki announced that he would interview the six finalists for the City Attorney position tomorrow.

Jail Site Taskforce

City Manager Piasecki noted that the taskforce was seeking to provide two facilities with a total of 1,450 beds.

Hearing Examiner's Decision – McLean

City Manager Piasecki informed Council that the Hearing Examiner had determined that the City's analysis regarding its legal authority was appropriate but that the incorrect standard had been applied. The decision was currently being evaluated. The deadline for the Fire Marshall to submit comments regarding the decision is March 2, 2007.

CONSENT CALENDAR was read by Deputy City Clerk Chaufty.

1. ~~Motion is to approve the regular minutes of January 18, 2007, and the regular and special minutes of February 1, 2007.~~

2. Findings: Vouchers 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.

Motion: As of this date the Des Moines City Council, by unanimous vote, does approve for payment those vouchers and payroll transfers included in the above list and further described as follows:

Claim checks #107873 through #108073 & electronic fund transfers in the total amount of \$544,655.82

Payroll fund transfers in the total amount of \$303,469.81

3. Motion is to approve the Interlocal Agreement between the City of Normandy Park and the City of Des Moines for the provision of Senior Services in fiscal year 2007 whereby Normandy Park will pay Des Moines for Senior Services in the amount of \$14,213, which represents the amount equal to Normandy Park's pro-rata share of costs for services based on 2006 participation levels and authorize the City Manager to sign the Agreement substantially in the form as submitted.

4. Motion is to confirm Mayor Sheckler's appointment to the Planning Agency of Cass Prindle to a vacant four year term to expire on December 31, 2010.

5. Motion is to confirm Mayor Sheckler's appointment of Rachelle Mendoza to an unexpired four year term on the Senior Services Advisory Committee effective immediately.

6. Motion is to authorize relocation reimbursements of up to \$8,000 for the following Police Department positions: ten (10) police officer positions, four (4) in the General Fund and six (6) in the Police Services Restoration Fund, and three (3) community service officers positions in the Police Services Restoration Fund, provided that the officers relocate to within twenty (20) miles of Des Moines City Hall.

7. Motion is to approve \$20,658 in additional contingency funds for a Change Order Proposal that would replace porcelain fixtures with stainless steel fixtures at the Underwood Memorial Park Restroom Facility and direct staff to make the necessary budget amendment and bring back to Council for approval at the appropriate time.

8. Motion is to authorize the City Manager to sign the \$35,000 contract with Leonard D. Madsen for professional transportation management services until a new City Transportation Engineer can be hired.

Item No. 1 was removed by Councilmember Kaplan.

MOTION was made by Councilmember Kaplan, seconded by Councilmember White, and passed unanimously to approve the consent calendar as amended.

REMOVED CONSENT CALENDAR ITEM

Minute Approval

In regard to the minutes of the January 18, 2007 meeting, Councilmember Kaplan noted that Councilmember Sherman, rather than himself, had made the reported comments on Page 7 and Page 10 of the preliminary minutes.

MOTION was made by Councilmember Pina, seconded by Councilmember Kaplan, and passed unanimously to approve the minutes as amended.

ADMINISTRATION REPORT, CONTINUED

Planning Agency Appointments

City Manager Piasecki announced that there were two vacancies on the Planning Agency. He asked interested individuals to contact the City Clerk's Office for additional information.

PUBLIC HEARING

Draft Ordinance No. 06-237 [Assigned Ord. No. 1397] Redondo Rezone

Mayor Sheckler introduced the subject, opened the public hearing, and read the rules for conducting a public hearing. He noted that the subject was not a quasi-judicial matter.

Land Use Planner II Sullivan reviewed the background of the topic. Staff's objectives were to review the historical land use development patterns, determine inconsistencies between zoning regulations and neighborhood conditions, and evaluate rezone alternatives to achieve consistency and transparency. Through the review process, 134 of the area's 154 tax parcels were determined to be substandard. Land Use Planner II Sullivan noted that staff had reviewed six alternative solutions. He recommended that Council adopt a 4,000 square foot lot size zone as it would reduce the number of substandard lots from 87% to 16%, establish clear and predictable development standards, simplify the review process, and adapt the code to neighborhood conditions. If changed, the following DMMC sections would be affected:

- DMMC 18.06.02 – List of all zones
- DMMC 18.06.030 – Hierarchy of all zones
- DMMC 18.08.030 – Minimum lot size
- DMMC 18.08.050 – Lot Width
- DMMC 18.80.010 – Zoning Map

Mayor Sheckler called for speakers three times.

None responded.

In response to Councilmember Sherman's questioning, Land Use Planner II Sullivan informed Council that no SEPA comments had been received.

Mayor Sheckler closed the public hearing.

MOTION was made by Councilmember Kaplan and seconded by Councilmember White to suspend Council Rule 26(b) in order to consider Draft Ordinance No. 06-237 on the first reading.

Councilmember Sherman noted that two Councilmembers were not in attendance. He recommended that the proposed ordinance be passed on to a second reading.

Mayor Sheckler reported that Councilmember Scott had indicated that she was comfortable with the proposed ordinance and he had received no comments from Mayor Pro Tem Thomasson.

VOTE ON MOTION: Motion passed, 4 – 1, with Councilmember Sherman opposed.

MOTION was made by Councilmember Kaplan and seconded by Councilmember Pina to adopt Draft Ordinance No. 06-237 amending Title 18 of the Des Moines Municipal Code creating a new RS-4000 zone and amending the official zoning map of the City of Des Moines in order to rezone select properties within the Redondo neighborhood currently RA-3600, RS-9600, and RS-7200 to RS-4000.

Councilmember Kaplan voiced support for the motion as staff's research had laid a historical foundation and the concerns of most of the property owners would be addressed.

Councilmember Sherman said that he wished the proposed ordinance had also addressed the Neighborhood Commercial property in Redondo.

VOTE ON MOTION: Motion passed unanimously.

Mayor Sheckler read the title of the ordinance into the record.

NEW BUSINESS

Council Liaison to Arts Commission

Parks and Recreation Director Thorell noted that the Arts Commission still needed a Council Liaison.

Councilmember White volunteered to serve as liaison.

Mayor Sheckler appointed Councilmember White as liaison to the Arts Commission.

Agreement with Destination Des Moines

Parks and Recreation Director Thorell introduced the subject. She introduced the members of Destination Des Moines in attendance, including President Leslie Newman.

Ms. Newman thanked Council for their support. She reviewed the activities of Destination Des Moines and briefly highlighted the goals of the various committees. Ms. Newman noted that a revised budget had been distributed to Council.

Councilmember White recommended that a member of Destination Des Moines attend the Main Street Conference.

MOTION was made by Councilmember Pina and seconded by Mayor Sheckler to authorize entering into a public services agreement with Destination Des Moines and to authorize the City Manager to sign the agreement substantially in the form as submitted.

Councilmember Sherman expressed hope that the agreement would signify a fresh start and a continuation of the enthusiasm.

VOTE ON MOTION: Motion passed unanimously.

Draft Resolution No. 07-048 [Assigned Res. No. 1031] - Educational Programs and Operations Replacement Levy

City Manager Piasecki introduced the subject. He noted that state law required that any speakers wishing to address Council regarding the topic be allowed to speak.

Mayor Sheckler called for speakers.

None responded.

MOTION was made by Councilmember Pina and seconded by Councilmember White to adopt Draft Resolution No. 07-048, supporting the Highline School District's Educational Programs and Operations Replacement Levy.

Councilmember Sherman said that, generally, he does not favor Council taking a position on a ballot issue. In this case, he felt that he would be making a statement, as a Councilmember, regarding the type of community he wished to live in rather than telling people how to vote.

Mayor Sheckler agreed with Councilmember Sherman's comments.

VOTE ON MOTION: Motion passed unanimously.

Pacific Ridge Economic Development Consultant Contract

Planning, Building, and Public Works Director Fredricks introduced the subject.

MOTION was made by Councilmember Sherman and seconded by Councilmember White to authorize the City Manager to sign the \$50,000 contract with ClearPath, LLC for real estate and economic development consultant services for Pacific Ridge Neighborhood project proposals, substantially in the form as submitted and to authorize the City Manager to approve supplements to this contract in amounts not to exceed \$10,000 for projects to be conducted under the terms of this contract.

In response to Mayor Sheckler's questioning, Planning, Building, and Public Works Director Fredricks explained that any project exceeding \$10,000 would need to be brought before Council for approval.

Councilmember White recommended that the agreement not be limited to the Pacific Ridge area.

City Manager Piasecki explained that if development services were needed in another area of the City, a similar agreement would be presented to Council.

Councilmember Pina recommended that the motion be changed to "up to \$50,000".

The maker and seconder of the original motion **accepted** "up to \$50,000" **as a friendly amendment**.

VOTE ON MOTION: Motion passed unanimously.

Draft Resolution No. 07-021 [Assigned Res. No. 1032] - Des Moines Rotary Club Fireworks Over Des Moines

Parks and Recreation Director Thorell introduced the subject. She noted that the Rotary Club had asked the City to absorb all in-kind costs. Ms. Thorell introduced Rotary Representative Jim Polhamus.

Mr. Polhamus stated that the goal of the event was to provide a safe local Fourth of July event for families in the community. The Rotary Club hoped to increase the size of the show this year.

MOTION was made by Councilmember White and seconded by Councilmember Pina to adopt Draft Resolution No. 07-021, authorizing the seventh annual Fireworks Over Des Moines event on July 4, 2007, at the Des Moines Marina and, to direct the City Manager to enter into an agreement with the Rotary Club of Des Moines related to the provision of support services and amenities for the event as identified therein.

Councilmember Sherman noted that the City contributed \$3,500 to the event last year. This year, the City had given money to organizations such as the Southwest Visitors Bureau and Destination Des Moines. He wished to balance the requests for funding.

MOTION was made by Councilmember Sherman and seconded by Councilmember Kaplan to amend Section 6 of the proposed resolution to \$5,000 instead of \$7,000.

Councilmember White commented that she was comfortable with the \$7,000 amount. She asked that Rotary identify a more efficient method to facilitate traffic flow out of the Marina after the event.

Councilmember Pina said that the City needed to enforce the fireworks ban and provide an alternative.

Mayor Sheckler agreed with Councilmember Pina's comments and voiced support for a \$7,000 funding level as there would be a bigger and better display.

VOTE ON AMENDMENT: Motion failed, 2 – 3, with Councilmembers Kaplan and Sherman in support of the motion.

VOTE ON MOTION: Motion passed, 3 – 2, with Councilmembers Kaplan and Sherman opposed.

NEXT MEETING DATE - Study Session March 1, 2007

ADJOURNMENT

At 9:03 p.m., **motion** was made by Councilmember White, seconded by Councilmember Pina and passed unanimously to adjourn the meeting.

Respectfully submitted,

Angela M. Chaufy
Deputy City Clerk

ACTION ITEMS FROM 2/22/07 COUNCIL MEETING – None.

PRELIMINARY
REGULAR MEETING DES MOINES CITY COUNCIL

MINUTES

March 1, 2007

The regular study session of Des Moines City Council was called to order at 7:32 p.m. by Mayor Sheckler in the Council Chambers, 2163011th Avenue South, #B.

PLEDGE OF ALLEGIANCE to the Flag was led by Councilmember White.

ROLL CALL - Present: Mayor Bob Sheckler (left at 8:40 p.m.), Mayor Pro Tem Scott Thomasson, Councilmembers Dave Kaplan, Ed Pina, Dan Sherman and Susan White. Absent: Councilmember Carmen Scott. Also in attendance were City Manager Tony Piasecki, Acting City Attorney Richard Brown, Police Commander John O'Leary, Parks and Recreation Director Patrice Thorell and City Clerk Denis Staab.

MOTION was made by Councilmember Sherman, seconded by Councilmember Kaplan and passed unanimously, to excuse Councilmember Scott.

COMMENTS FROM THE PUBLIC

Kathy Keene, 14208 6th Avenue South, Burién

Ms. Keene thanked Council for their great support of the Farmers Market at the Des Moines Marina. As a participant in last year's Farmers Market she especially appreciated Council waving business license fees for all the participants.

AGENDA REVISION

Mayor Sheckler noted he will take the draft resolution regarding the 2007 Farmer's Market first and after that item, Council will need to go into an Executive Session for about a 20 minutes.

DISCUSSION ITEMS

Draft Resolution No. 07-027 [ASSIGNED RESOLUTION NO. 1033] Farmer's Market for 2007

Parks and Recreation Director Thorell informed Council that the 2007 Farmers Market will again be located at South Marina Park and open to the public beginning Saturday, June 2nd and every Saturday through October 27th, and operate between 10 a.m. and 2 p.m. She introduced Wendie Dyson, Manager of the Farmer's Market.

Ms. Dyson proceeded to provide Council with the following information regarding the Farmers Market:

- *MISSION:* To create a vibrant farmers market where the Des Moines community can buy local, family farmed foods grown in a way that sustains the land and our health.
- *VISION:* We envision a marketplace that is the hub of community activity, offering a bounty of nutritious foods grown by Washington stewardship farms with a selection of unique local crafts.

She informed Council that the community provided positive comments and listed the top four reasons why they came to the market in 2006 as:

1. Buy fresh, locally grown foods

2. Support Des Moines community
3. Community atmosphere
4. Buy organic foods or foods grown using environmentally-friendly methods

She further noted the 2006 market averaged 150 shoppers every Saturday, with farmers averaging \$488 a Saturday, which was higher than the first year of the Seattle Market. She noted the Market's 2007 marketing goals include: 12% increase in sales, provide a weekly Market column in the Des Moines News, accept WIC and basic food stamps, increase outreach to families, provide special community events, expand selection of farm products including eggs, meat and cheese. In conclusion, she thanked all the dedicated community volunteers, City staff and local businesses that helped produce a successful Market and encouraged other citizens to volunteer this year. She advised she is looking forward to a successful season two, and read a statement in support from Joan Thomas, Co-Chair of Farming and the Environment.

MOTION was made by Councilmember Sherman, seconded by Councilmember White, to adopt Draft Resolution No. 07-027, authorizing the Des Moines Farmers Market between June 2, 2007 and October 27, 2007, at the Des Moines Marina and to direct the City Manager to provide support services and amenities for the event as proposed in the draft Resolution. Also to enter into an Agreement between the City of Des Moines and Farming and the Environment for the 2007 Farmers Market as proposed in Draft Resolution 07-027, and authorize the City Manager to sign the agreement substantially in the form as submitted.

Councilmember White expressed the hope that eventually the Farmers Market could become a year around event.

Councilmember Kaplan stated an event such as this gives flavor to the City and he expressed a good feeling that things are changing for the better for the community.

Mayor Sheckler noted he is looking forward to a bigger and even better Farmers Market.

VOTE ON MOTION: Motion passed unanimously.

8:07 p.m. Executive Session

Mayor Sheckler announced that the Council will convene in to an Executive Session

Acting City Attorney Brown noted the purpose of the Executive Session will be to discuss with legal counsel representing the City litigation or potential litigation to which the City is, or is likely, to become a party and about which public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the City. The Session should last approximately 20 minutes.

Present: Mayor Bob Sheckler, Mayor Pro Tem Scott Thomasson, Councilmembers Dave Kaplan, Ed Pina, Dan Sherman and Susan White. Also present were City Manager Tony Piasecki, Acting City Attorney Richard Brown, Court Administrator Jennefer Henson and outside Legal Counsel Pat Anderson.

At 8:30 p.m. City Manager Piasecki announced that the Executive Session will continue until 8:40 p.m.

Adjournment

At 8:40 p.m. the Executive Session adjourned with NO FORMAL ACTION taken.

At 8:40 p.m. City Manager Piasecki announced that the Executive Session has adjourned and Council will return to open session after a 10 minute break. [ED NOTE: Mayor Sheckler left the meeting for the remainder of the evening.]

8:50 p.m. Mayor Pro Tem Thomasson assumed the presiding officer role.

Wind Storm Event - Follow-up Report

Police Commander O'Leary noted that on December 15, 2006, a severe winter wind storm struck the Puget Sound area. The sustained high winds caused severe damage to the electrical power grid causing power outages lasting several days in many communities including Des Moines. He informed Council in the aftermath of the storm City staff and fire officials debriefed events surrounding the storm including evaluating, planning, response and future considerations for similar emergencies. He reviewed several assessments derived from the debriefing process as follows:

- Better staff coordination and assignment of work duties. Better define essential personnel.
- More effective communication between regional partners.
- Activation of emergency operations center, at least on an advisory level.
- Emergency power options for other City facilities such as generators or ability to plug in generator systems. Currently only Police and Public Works have generators.
- Develop emergency shelter options within the City. Landmark on the Sound was under renovation and mostly vacant so were able to offer shelter for this event.
- Need additional four wheel drive vehicles within the City wide fleet. Can be accomplished as vehicles are normally replaced.
- Finalize the City's emergency management plan.
- Continue participation for the development of a Regional/joint Emergency Management Coordinator position as authorized in 2007 budget.
- Continue to meet on a quarterly basis specifically to take action on emergency management needs. Plan drills and review training.
- Internet based and physical kiosk (in several locations) for posting of emergency information.

Council discussion ensued including: the need to look at Middle and High Schools in the City that have gyms for sleeping and restroom facilities with showers to be used as emergency shelters. It was felt that the City and other jurisdictions should share in the cost of such emergency shelters.

Councilmember Sherman felt that it is the Governments obligation to provide safety and security as primary government services. He felt our normal posting locations (City Hall, Marina and Redondo Post Office) would be logical as kiosks with updates provided at least once a day, if not a couple of times a day.

Mayor Pro Tem Thomasson felt government does play a role, but citizens must be able to take care of themselves, and noted there is a fine balance between responsibilities

City Manager Piasecki stated Des Moines population is around 30,000 and the total number that took shelter at Landmark on the Sound was around 200. He felt it is important at least for some facilities such as the Activity Center to be open enough for citizens to get something hot to drink, get warm and perhaps learn what is currently going on. He noted most people are advised to keep 3 days worth of supplies, but he felt 10 days worth would be better.

Upon questioning, Commander O'Leary stated that the City's Emergency Management Plan should be ready for Council review within the next several weeks.

Interlocal Agreement with Highline School District for Zenith Park

MOTION was made by Councilmember Pina, seconded by Councilmember White, to approve the Draft Interlocal Agreement between Highline School District and the City of Des Moines for the use of the Zenith Park site, and authorize the City Manager to sign the agreement substantially in the form as submitted.

Councilmember Sherman stated that in both the 2006 and 2007 budgets there has been an increase in spending of one-time revenues. He noted there are many proposals seeking funding and Council approves what it can, mainly those that in the end will bring in revenues. He feels that a playfield is not an essential service and he is uncomfortable in authorizing spending additional money and stated he cannot support this particular item based on the City's current financial circumstances.

Councilmember Pina noted that the School District is not in the business of maintaining Parks. He advised that they have maintained the Park, for the past two years. He stated that if Council wants to reduce the City's park service, then they should not fund this 50% share of maintaining this Park. He felt the Park will be closed if we do not enter into this agreement.

Parks and Recreation Director Thorell informed Council that the School District will maintain the Park during the busiest season of April through August, and the City will maintain from September through March. She advised Council that she is not asking for additional funding, as she anticipates absorbing the cost within her existing budget, and reallocating staff. She noted that the use of Steven J. Underwood Park has been much greater than anticipated, and the use of the Field House Park has grown to the point that it is being used year-round. She also pointed out that due to the School District's building program many of the play fields are now unavailable and there is a tremendous demand for play fields.

Upon questioning by Mayor Pro Tem Thomasson, Parks and Recreation Director Thorell noted the City will pay the water bill, however at this time she does not anticipate using it that much. She advised that port-a-potty would be paid by the user group. She stated this Park would be used as a practice field. She noted the agreement is good for one year, and hopes that in the future the City will be in a position to make a multi-year agreement. She reminded Council that in 2003 the Parks Master Plan acknowledged the City is 30 acres shy of meeting the goals of the Zenith neighborhood for Parks.

Councilmember White acknowledged that financially things are lean, but they are improving. As a Councilmember she wants a livable community, with places to help keep kids busy especially with sports. She advised since there are no additional funds being requested she will support the motion.

Councilmember Kaplan noted this is not an easy decision as he shares some of Councilmember Sherman's concerns, however he will support the motion for one year.

Councilmember Pina stated that this is a deal the City cannot pass up, especially with the need for Parks in the Zenith area.

Mayor Pro Tem Thomasson felt it would have been better to have this discussion as part of the Budget process. He expressed some concern as he feels there is uncertainty as to how we will operate this Park and at what level. He noted he can support this for one year, but looks to the City Manager to set parameters as to what will and will not be done with this facility. He acknowledged the fields used by Little League at Olympic and Mt. Rainier Schools are not available. He noted he would have liked more information in the Agenda Item about what the plan for this facility actually is, what is the level of service and expenses, along with what other work will not be done in order to staff this facility.

City Manager Piasecki advised that it is his intention that this facility will be very minimally maintained, and the user groups will be the first looked to for any improvements to the field situation. He stated the reason this was not included in the 2007 budget discussion was because we had not reached any kind of agreement with the School District at that time. He informed Council that if it looks like we want to continue beyond this year, he will do his best to get that into the 2008 budget process discussions.

Councilmember Sherman noted that if staff can be reprogrammed to work on this facility, then he has questions as to why Council authorized that position in the first place. He stated while his position may not be popular, it is what he feels is a financially responsible position in the best interest of the City.

VOTE ON MOTION: Motion passed 4 to 1 with Councilmember Sherman opposed.

Draft Ordinance No. 06-207 [ASSIGNED ORDINANCE NO. 1398] Street Vacation Revenue - 1st Reading

MOTION was made by Councilmember Kaplan, seconded by Councilmember Sherman and passed, to suspend Council Rule 26(b) in order to enact Draft Ordinance No. 06-207 on first reading.

MOTION was made by Councilmember Kaplan, seconded by Councilmember Pina, to approve Draft Ordinance No. 06-207.

Mayor Pro Tem Thomasson read the draft ordinance by title into the record.

Councilmember Kaplan advised that the Public Safety and Transportation Committee has reviewed the draft ordinance regarding the use of funds from the sale of public street vacations, and the draft ordinance meets Council's concerns, and is consistent with State law.

VOTE ON MOTION: Motion passed unanimously.

NEXT MEETING DATE

Mayor Pro Tem Thomasson announced that the next regular meeting will be March 8, 2007

ADJOURNMENT

At 9:49 p.m. **MOTION** was made by Councilmember Sherman, seconded by Councilmember Kaplan and passed unanimously, to adjourn.

Respectfully submitted,

Denis Staab
City Clerk

Panel 1-0

AGENDA ITEM

BUSINESS OF THE CITY COUNCIL City of Des Moines, WA

SUBJECT: Surplus Property at the Marina

FOR AGENDA OF: March 22, 2007

ATTACHMENTS:

1. Pictures of Touch & Go Float and Exhaust Fan.

DEPT. OF ORIGIN: Marina

DATE SUBMITTED: March 5, 2007

CLEARANCES:

[X] Marina

APPROVED BY CITY MANAGER

FOR SUBMITTAL:

A. Purpose & Recommendation

The purpose of this agenda item is to ask for the Council's authorization to dispose of two items of surplus Marina property on the Consent Calendar. The first item, a large capacity exhaust fan, would be disposed of by selling it, and the other item, the touch and go float, would be sold if possible, and if not, it would be dismantled and disposed of in the proper manner.

Recommended Motion

"I move that the Council authorize the staff to dispose of two pieces of Marina surplus property, a large capacity exhaust fan and the touch and go float, in a manner most advantageous to the City."

B. Background

The touch & go float was built and installed when the Marina was built in 1969. When there was a lot of recreational fishing activity, the float was used as a drop-off point so returning boaters could drop someone off to get the vehicle and trailer and get it positioned under the hoist before the boat pulled into the sling area. This was a critical component of the boat launch facility when there were long lines for both launching and retrieving. In recent years, it hasn't been as critical for boat launching because there is usually enough time between retrievals for the customer to pull into the sling area and then go get the vehicle-trailer. Now, the most frequent use for the touch & go is for launching kayaks and other small boats and for the occasional tour boat.

The large capacity exhaust fan was purchased to bring the “paint shed” into compliance with air quality standards when the lease at the boat yard changed hands in 2002. The current operators of the yard have not been able to overcome some of the other code issues and it appears that the machine will not be used for its original purpose.

C. Discussion

Touch & Go Float

Over the years the decking and pile hoops on the touch & go float have been replaced as needed and about five years ago, a lot of the floatation blocks were replaced. The guide piling that keep the float in its location were damaged by extreme wave conditions during the wind storm last December. After the storm, when the staff was inspecting the float and piling to prepare for the repairs, they discovered that the portions of the main frame that is made of heavy creosoted timbers had deteriorated to a point where it is not feasible to repair the structure. Also, the access ramp has been on the list to replace or completely rebuild for two years, and now that the float and piling are no longer useable, the staff recommends that the entire unit be demolished and plans made for replacing it in the near future. The staff intends to demolish the structure and dispose of it in a landfill that will take the creosote treated lumber. The estimated cost for disposal is about \$3000. It is possible, but not likely that the float can be given to another person or organization that needs a float somewhere, but because it is built with creosoted lumber, it probably is not possible to get a permit to install it in another location.

As mentioned above, the main users at this time are “car-toppers” and tour boats. Tour boats can, (and often do during bad weather), use the fuel dock or north float. Car-toppers will be encouraged to use the walk-down ramp at the park or they can use the guest moorage ramps and the back side of the north float when the tide is out to far to use the facility at the park.

High Capacity Exhaust Fan

When the owners of CSR South Marine took over the boat yard lease in 2002, they intended to change the use of the small building in the boat yard. The small building was actually built as a paint shed, but it had been used for storage for several years. The staff consulted the local building and Fire officials and the Puget Sound Regional Air Quality Control Board to determine what would be needed to bring the shed into compliance for painting. During the process, a used, large capacity fan became available for a good price, (\$1500), and the staff purchased it with the intention of being reimbursed by CSR when the project was completed. As staff and CSR investigated the requirement further, it became apparent that the building would have to be completely rewired, and, in addition to the large exhaust fan, a large expensive filtration system would have to be installed to bring the building into compliance. At that time, CSR decided to stay below the levels of painting that would require a totally contained operation, with the expectation that they might remodel the shed at a later date. Since that time they have acquired another repair yard on the ship canal that has large volume painting capacity and they have abandoned plans to use the small building for large paint jobs. The staff recommends that the fan be surplus and sold. The price the staff paid for the fan was below the market at the time, so recovering the purchase price should not be a problem.

C. Alternatives

Alternative No. 1. The Council may approve the staff's request to surplus the two items.

Alternative No. 2. The Council may approve the staff's request to surplus the two items with additional conditions.

Alternative No. 3 The Council may decline to approve the staff's request.

D. Financial Impact

The cost for disposing of the touch & go float is estimated to be \$3000. The staff expects to recover the original purchase price of the fan.

E. Recommendation

The staff recommends that the Council approve the staff's request to surplus the two items.

Concurrence:



High Capacity Exhaust Fan



Touch & Go Dock

Page 7-0

AGENDA ITEM

BUSINESS OF THE CITY COUNCIL City of Des Moines, WA

SUBJECT: Des Moines Classic Car and Wooden
Boat Show

FOR AGENDA OF: March 22, 2007
DEPT. OF ORIGIN: Marina

ATTACHMENTS:

1. Memo to Police Dept. with Operations Plan.
2. Map
3. 2006 Revenue and Expense Summary

DATE SUBMITTED:

CLEARANCES:

[X] Marina

APPROVED BY:  CITY MANAGER

FOR SUBMITTAL: 

A. Purpose & Recommendation

The purpose of this Council Agenda Item is to seek the Council's approval of the use of the guest moorage area and the North parking lot in the Marina for an event featuring classic cars and boats that will be held in the Marina on July 14th. This event will be co-sponsored by the Des Moines Marina and various businesses and individuals that are associated with classic cars and boats. At this time, the primary sponsors are Burien Chevrolet and Powell Homes.

Recommended Motion

"I move that the City Council approve the use of the Marina for a classic car and boat show on July 14th of this year, providing that the City Manager approves the operations and site plan for the event."

B. Background

This proposed event will be similar to last year's event with the exception of it being one day instead of two. Staff feels that a one day event will improve the over all appearance of the event. Last year some of the exhibitors left early in the day and some only participated on one day. This year, exhibitors will not be allowed to leave until the show is over so that everyone who attends the event will see the same exhibits. This show will capitalize on the popularity of these types of events to bring people into the Marina and the downtown business area. This event will be a gated event with a \$2 per person suggested donation and will also provide a fund-raising opportunity for local non-profits, the Des Moines Legacy Foundation and the Des Moines Food Bank. Last year, donations at the gate totaled a little over \$4400. The gross revenues from the show were about \$10,200, including sponsorships and entry fees. In general, the car show generates enough net revenue to help pay for other non-revenue producing events put on by the

Marina, including the Marina Day Celebration and the Safety on the Sound Day. (A spreadsheet with the details of the revenues and expenses of the Car Show and other Marina events is attached.)

C. Discussion

Staging this event July 14th will require closing the public launcher for the day. All other Marina operations will be operating as usual, although the staff expects that the guest moorage area will be sold out. The highlights of the operations plan are as follows:

- The show date and times are Saturday, July 14th, 10:00 am to 6:00 pm.
- The Marina will collect entry fees from the cars and boats entered in the show and funds from co-sponsors.
- The Marina will use the entry fees and the moneys provided by the co-sponsors of the event to pay for fencing, promotion, various prizes for the entrants in the show and some entertainment that will be provided during the show. The Marina, (using sponsors funds), will also put on a dinner for the participants in the classic boat show on the night of the 13th. The staff is trying to find some partners the dinner that will enable us to open it up to the general public as a ticketed event.
- The public boat hoist will be closed and parking will be restricted to the south Marina lot.
- The Marina staff has contacted the neighboring condos and provided them with the operations plan for the event. To date, no objections have been received.

A detailed operations plan with a map of the lay-out of the event is attached to this item.

C. Alternatives

Alternative No. 1. The Council may approve the event as submitted.

Alternative No. 2. The Council may approve the event with additional conditions.

Alternative No. 3 The Council may decline to approve the event.

D. Financial Impact

The staff expects a loss in launch revenue of about \$500 for the weekend, but that fuel sales and guest moorage revenues will be at normal levels or higher. To measure the financial impact of the event, the Marina staff will compare revenues from the same weekend last year and for the previous three years with the gross/net revenues from this event to see if there was a positive or negative financial impact. Last year's net revenues were positive, with the expected financial loss at the public hoist being more than made up by the gains in guest moorage and the event itself. The impact on the area business is harder to predict but it is expected to be positive. Staff received several positive comments last year from area restaurants.

E. Recommendation

The staff recommends that the Council approve the event as planned.

F. Concurrence

Memo

To: Harbormaster, Chief of Police

From: Joe J.

Date: March 7, 2006

Re: Car and Boat Show - July 14th, 2007

Time Line

Pre-Event Activities

- The marina and adjacent neighborhoods will be posted three weeks in advance with informational signs that explain parking and access restrictions.
- Contact Public Works and arrange to have signs and barricades staged close to the sites where they will be needed for the weekend.

July 13th 2007

Noon.

- Guest moorage area will be cleared of boats not involved with show. Attendants will assist show boats as they arrive. Attendants will launch the boats participating in the free boat ride exhibit and assist in mooring of boats in the guest moorage area. 7:00 PM. Assist Todd Powell with dinner for wooden boat owners.

8:00 PM.

- Close marina and start clearing the marina floor of vehicles from CSR to north end of marina. Set up barricades on Dock Street at CSR and at Milluzos.
- Close north gate. Post employee at Dock Street barricade and allow vehicles, vendors, participants, security and all those affiliated with the show through gate.
- Assist in set-up of event. This will include hanging banners and flags, set-up of entertainment stage, and two canopies, tables and chairs for the eating area. A canopy will be set up on the island in the southeast corner of the north lot. This will be a shuttle stop area for the local restaurants. Two sets of aluminum bleachers will be placed in the lot due north of the entertainment stage.

9:00 PM.

- On-site security arrives. Two marina staff members will assist security officer from 9:00PM until 6:00 AM.

July 14th, 2007

6:00 AM.

- Set up barricades on 6th and 226th and 227th. Any remaining unauthorized vehicles left in the north lot will be impounded at this time. Event vehicles arriving at this time will be allowed to enter and set up. Scott Wilkins and Dick Stites will over-see the staging of vehicles in the north lot.
- The entertainment stage will be set up in the north lot, facing northwest. (see map) The food vendors will set up in the northwest corner of the center lot.

8:00AM.

- Assist volunteers setting up admission booths at the north gate and the gates due east and west of the marina office.

10:00AM.

- Open event.
- If more cars show up than anticipated, event can be expanded to Beach Park. If this happens, we'll close Cliff Ave and direct all over-flow event vehicles through north gate into Beach Park.
- Event participants will be allowed to come and go during the show but will have to do so through the south entrance. The food shuttle service should help to cut down on traffic during the show.

- 6:00PM. Event closes. All participants will be directed out of marina through the south end.
- Fencing on Cliff Ave will be moved to the east sidewalk and the fence on Dock Ave will be moved to island areas for pick up on the 10th.
- .
- All barricades will be taken down AFTER the fencing has been removed to allow the marina to return back to a normal traffic flow. The public hoist will be opened AFTER the area has been cleared to retrieve the event boats.
- If time permits, after event has been cleaned up, staff can retrieve public boats at hoist. We will not re-open the marina for launching until the area is safe to do so.

Parking & Pedestrian Plan

South Lot

- Two employees will be in the lot during the event. One will monitor traffic and the other one will manage the barricades at CSR and Milluzos.
- There will be "one-way" signs posted on the fence along the bulkhead, keeping traffic flowing in a south-bound direction.
- If the south lot becomes full, staff will post a large "LOT IS FULL" sign at 227th and 6th. Anthony's customers will still be granted access.

North Lot

- Show Vehicles will be displayed in a manner that will allow access for emergency vehicles and personnel.

Cliff Ave.

- If the event expands into the Beach Park, vehicle traffic on Cliff will be shut down. Otherwise, any traffic on Cliff going into the park will have to be managed by an employee at the top of Cliff and the volunteers at the admission booth at the north gate. Pedestrians will be directed to the east sidewalk when vehicles are entering or leaving the park.
- The west lane will be closed in order to allow condo access. If the area is too congested, traffic may have to be closed on Cliff.
- If traffic is closed on Cliff, arrangements will be made by staff to park Sundays' church service vehicles in the south lot and a shuttle service provided.

Staffing

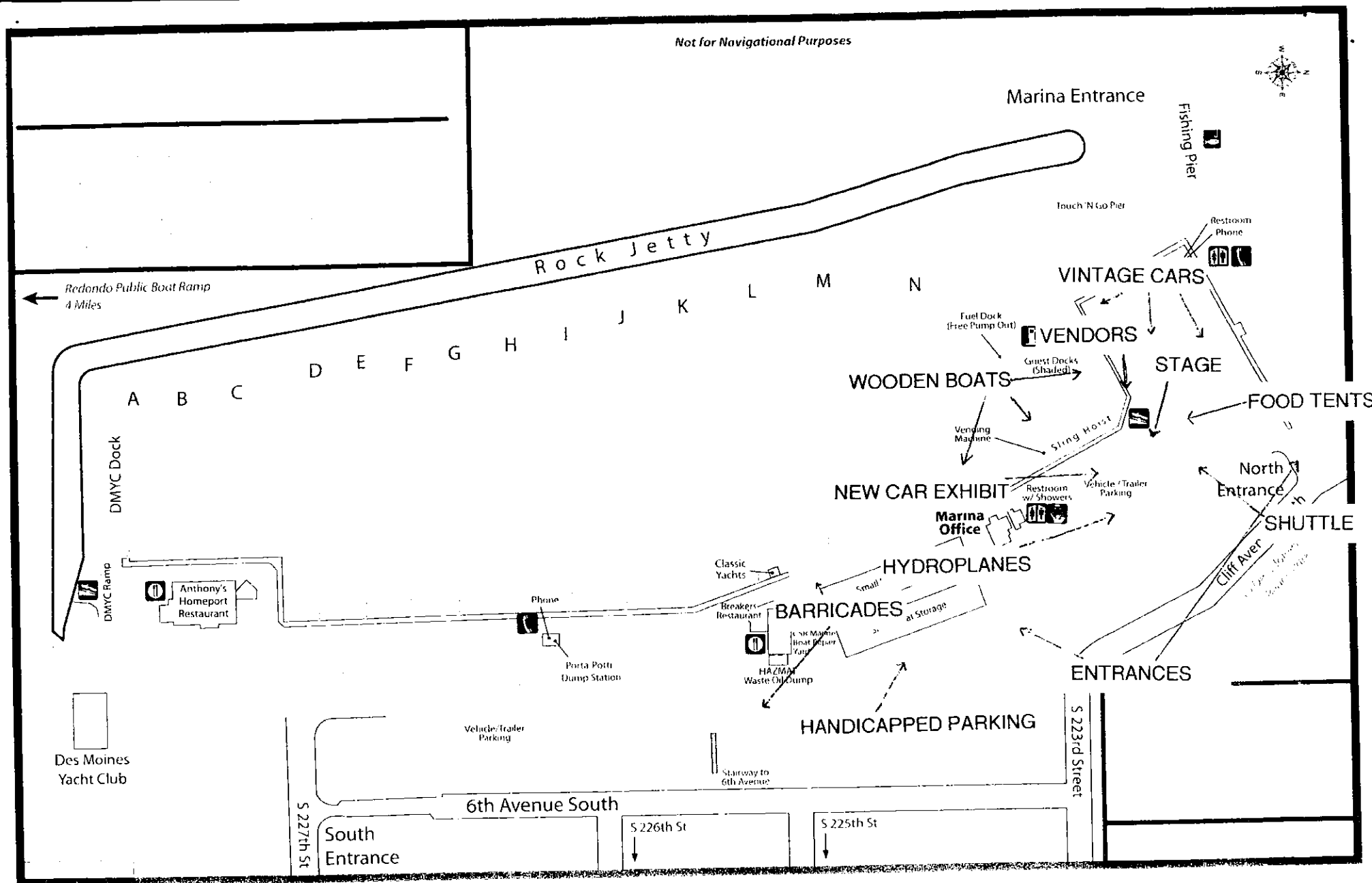
Pedestrian Gates: Volunteers.

North Lot: One staff member.

Center Lot: One staff member.

Marina Services: One staff member for fuel dock and guest moorage

Restrooms: One staff member



**2006 SPECIAL EVENTS
REVENUE AND EXPENSE SUMMARY**

ITEM	REVENUE	EXPENSE	NET REVENUE
Des Moines Classic Car & Boat Show			
Boat Entry Fees - 18 boats @\$30 - 1 boat @\$15	\$ 555		
Car Entry Fees - Prepayed 19 @ \$10 - 19 @ \$20	\$ 570		
Car Entry Fees - Collected Day of Show	\$ 1,060		
Sponsorship - Burien Toyota	\$ 1,000		
Sponsorship - Burien Chevrolet	\$ 1,000		
Sponsorship - Lake Union Sea Ray	\$ 500		
Sponsorship - Gig Harbor Yacht Sales	\$ 800		
Concessions	\$ 260		
Gate Revenue	\$ 4,443		
Hydro Display		\$ 350	
Entertainment		\$ 800	
Awards		\$ 617	
Equipment Rental - (Stage, Fencing)		\$ 1,378	
Staff/Volunteer Tee shirts		\$ 279	
Donations - Legacy Foundation & Food Bank		\$ 750	
	\$ 10,188	\$ 4,173	\$ 6,015
South Sound Sailing Series			
Advertising - Flyer		\$ 424	
Buffet Dinner Sponsorship		\$ 1,180	
		\$ 1,604	\$ (1,604)
Marina Day Celebration & Safety on the Sound			
Des Moines Marina Association Sponsorship	\$ 411		
Food - (Permit, Hotdogs, Costco)		\$ 469	
Entertainment		\$ 300	
Equipment rental		\$ 373	
	\$ 411	\$ 1,142	\$ (730)
Total Net Proceeds			\$ 3,681

Parad 7-0

AGENDA ITEM

BUSINESS OF THE CITY COUNCIL
City of Des Moines, WA

SUBJECT:

Interlocal Agreement between the City of Des Moines and the Highline School District for a School Resource Officer at Mount Rainier High School

ATTACHMENT

- Interlocal Agreement between the City of Des Moines and the Highline School District for a School Resource Officer at Mount Rainier High School

FOR AGENDA OF: March 22, 2007

DEPT. OF ORIGIN: Police

DATE SUBMITTED: February 16, 2007

CLEARANCES:

[X] Legal *[Signature]*

[X] Police *[Signature]*

APPROVED BY CITY MANAGER
FOR SUBMITTAL: *[Signature]*

PURPOSE

This agreement is to allow for the continuation of the school resource officer program at Mount Rainier High School. The current agreement in place with the Highline School District expires June 30th 2007. The new agreement provides for the District to compensate the City of Des Moines up \$86,000 in salary and benefits for the ten months an officer is assigned to Mount Rainier High School.

It is recommended that the Council approve the agreement and authorize the City Manager to sign it.

SUGGESTED MOTION: "I move to approve the agreement between the City of Des Moines and the Highline School District for the City to provide a police officer to serve as a school resource officer and for the District to compensate the city for ten months of salary and benefits not to exceed \$86,000 for the ten months the officer will be assigned to the school as described in the Interlocal agreement and to authorize the City Manager to sign the Agreement substantially in the form as submitted".

Recommended Action:

It is staffs recommendation to approve the Interlocal Agreement between the City of Des Moines and the Highline School District to continue the School Resource Officer Program at Mount Rainier High School.

Background:

The City of Des Moines started the School Resource Officer Program at Mount Rainier High School in the year 2000 with a grant from the Federal Government. The funding and the obligation under the grant ended in 2004. In 2005 the City of Des Moines entered into a two year interlocal agreement with the Highline School District to continue the program with the District paying for ten months of an officer's salary and benefits each year of the agreement. The agreement is set to expire in June 2007. Both city staff and the district staff desire to continue this program.

Discussion

The staff at Mount Rainier High School, School District Administration, and the Police Department, believe this is a very beneficial program and would like to see it continue. Incidents of school violence continue to be a grave concern with all public schools. Incident of assault, drug and gang activity do occur at the school and this program helps serve as a deterrent. The program also allows and provides for a strong police nexus to the youth in our community at a time and place in their development when they can be influenced by many negative factors. It is helpful to have an officer in the school community who can develop a rapport with the youth in a non confrontational setting.

In discussing the contract renewal with the District it was the desire of the city to seek a longer contract term. Unfortunately the District is not in a position to commit to a term more of more then one year at this time.

Financials:

The District agrees to compensate the City of Des Moines up to \$86,000 in salary and benefits for the officer assigned to the School Resource Officer position.

Recommendation/Conclusion:

The School District and the Police Department have developed a very positive relationship and are very supportive of this program. It is in the interest of both the City of Des Moines and the Highline School district to continue with this program.

AGREEMENT
For
SCHOOL RESOURCE OFFICER
Between
THE CITY OF DES MOINES and HIGHLINE SCHOOL DISTRICT 401

In Accordance with the Interlocal Cooperation Act (RCW 39.34), the City of Des Moines ("The City"), and Highline School District 401 ("The District"), each of which is a Washington Municipal Corporation, hereby enter into the following AGREEMENT:

RECITALS

WHEREAS:

- A. The District and the City desire to promote law enforcement and related services to Mount Rainier High School in the City;
- B. A School Resource Officer Program has been proposed for Mount Rainier High School as hereinafter described;
- C. The District and the City recognize the potential benefits of the School Resource Officer Program to the citizens of the City and particularly to the students and staff of Mount Rainier High School; and
- D. It is in the best interest of the citizens and residents of the District and the City to establish this program,

NOW, THEREFORE, in consideration of the mutual promises and covenants herein contained, the Parties agree as follows:

I. TERM of AGREEMENT and RENEWAL

- 1.1 This Agreement shall be for one (1) school year.
- 1.2 This Agreement shall commence as of September 1, 2007 and shall terminate as of June 30, 2008
- 1.3 This Agreement may be renewed by written agreement of all of the Parties.
- 1.4 This Agreement may be terminated by either party by 90 ninety (90) days written statement of termination directed to the other party. Should the agreement be terminated by either party, the City will reimburse the District on a prorated basis for any months remaining on the agreement at a rate of one-ten of the annual fee for each full month.

II. SCHOOL RESOURCE OFFICER PROGRAM CONTINUED

2.1 A School Resource Officer Program has been established between the City of Des Moines Police Department ("Des Moines PD") and Mount Rainier High School ("the High School"), located within the City of Des Moines. Said program is hereby continued for the term of this agreement.

2.2 Through the School Officer Resource Program the High School and the Des Moines PD have committed to providing a safe, fun environment that promotes education and interaction with the students in a positive caring manner. This is accomplished with a committed partnership among the school, students, staff, parents, police department, and neighbors to enhance the school and the community.

III. RIGHTS AND DUTIES OF THE DES MOINES PD

3.1 The Chief of the Des Moines PD ("the Chief") shall assign one (1) regularly employed police officer as a School Resource Officer ("SRO") to the High School.

3.2 The SRO shall be assigned on a full time basis of eight (8) hours on those days and during those hours that the school is in regular session. Absences from the school by the SRO during the school year for training or other Des Moines PD activities shall not exceed five (5) school days in duration at any one time. The Des Moines PD may temporarily reassign the SRO during school holidays and vacations.

3.3 The SRO shall also act as an instructor for specialized, short-term law enforcement related programs at the high school when invited to do so by the principal or members of the faculty;

3.4 The SRO shall have the following additional duties and responsibilities:

3.4.1 When requested by the principal, the SRO shall attend parent/faculty meetings to solicit support and understanding of the program.

3.4.2 The SRO shall make himself/herself available for conferences with students, parents, and faculty members in order to assist them with problems of law enforcement or crime prevention in nature.

3.4.3 The SRO shall become familiar with all community agencies which offer assistance to youths and their families such as youth job placement assistance, mental health clinics, drug treatment centers, etc. The SRO shall make referrals to such agencies when necessary thereby acting as a resource person to the students, faculty, and staff of the school.

3.4.4 The SRO shall assist the principal in developing plans and strategies to prevent and/or minimize dangerous situations that may result in student unrest.

3.4.5 Should it become necessary to conduct formal police interviews with the students, the SRO shall adhere to the Police Department Policy and legal requirements with regard to such interviews.

3.4.6 The SRO shall take law enforcement action as required, including but not limited to appropriate law enforcement action against intruders and unwanted guests who may appear at the school and related school. As soon as practicable, the SRO shall make the principal of the school aware of any law enforcement action.

3.4.7 The SRO shall give assistance to other police officers in matters regarding his/her school assignment, whenever necessary.

3.4.8 The SRO shall patrol the assigned school and surrounding neighborhoods in order to identify, investigate, and prevent incidents involving weapons, violence, harassment, intimidation, and other law violations. The SRO may also be assigned investigations related to runaways, assaults, thefts, and truancy, provided such investigations relate to the students attending the school to which the SRO is assigned.

3.4.9 The SRO shall maintain detailed and accurate records of the operation of the School Resource Officer Program.

3.4.10 The SRO shall not act as a school disciplinarian, as disciplining students is a school responsibility. However, if the principal believes an incident is a violation of the law, the principal may contact the SRO and the SRO shall then determine whether law enforcement action is appropriate. School Resource Officers are not to be used for regularly assigned duties such as lunchroom duty. If there is a problem area, the SRO may assist the school until the problem is solved.

3.4.11 Any exceptions to the above must be mutually agreed upon by the Chief of Police of the Des Moines PD, the School District, and the School Principal.

IV. RIGHTS AND DUTIES OF THE DISTRICT

4.1 The District shall provide the SRO with the materials and facilities necessary to the performance of the SRO duties at the High School.

4.2 The following materials and facilities are deemed necessary to the performance of the SRO's duties:

4.2.1 Access to a properly lighted private office with a telephone that may be used for general business purposes.

4.2.2 A location for files and records that can be properly locked and secured.

4.2.3 A desk with drawers, a chair, work table, filing cabinet, and officer supplies.

- 4.2.4 Access to a typewriter, computer, and/or secretarial assistance.

V. FINANCING OF THE SCHOOL RESOURCE OFFICER

5.1 The District will compensate the City for the direct salary and benefits incurred for the assigned School Resource Officer for the ten month duration of the school year. The actual amount of salary and benefits will be dependent upon the salary range of the officer, but in any event shall not exceed \$86,000.00 for the ten-month period.

5.2 The City will invoice the District for the total salary and benefits to be incurred during the ten month period on or before the first day of each school year.

5.3 Any overtime hours requested and authorized by either party to this agreement will be paid by the party requesting and authorizing the additional overtime hours. If the District requests and authorizes the overtime hours, the District will be separately invoiced for the direct salary and related benefits for the overtime hours worked by the assigned School Resource Officer.

VI. EMPLOYMENT STATUS OF SCHOOL RESOURCE OFFICER

The SRO shall remain an employee of the Des Moines Police Department, and shall not be an employee of the School District. The School District and the Chief acknowledge that the SRO shall remain under the direct supervision of the City of Des Moines Police Department..

VII. APPOINTMENT OF SCHOOL RESOURCE OFFICER

7.1 The SRO must be a volunteer for the position with a minimum of three (3) years of law enforcement service or experience.

7.2 The appointment of the SRO shall be at the discretion of the Chief based upon:

7.2.1 A written application to the Chief that outlines his/her qualifications; and

7.2.2 Input from the High School principal or the principal's designee and the District's Director of Safety and Security.

7.3 Additional criteria for consideration by the Chief shall include job knowledge, training, education, appearance, attitude, communication skills, and bearing.

VIII. DISMISSAL OF SCHOOL RESOURCE OFFICER; REPLACEMENT

8.1 In the event the principal of the High School feels that the SRO is not effectively performing his or her duties and responsibilities, the principal shall recommend to the Superintendent of the District that the SRO be removed from the program and shall state the reasons therefore in writing. Within a reasonable time after receiving the recommendation from

the principal, the Superintendent or his/her designee shall advise the Chief or his/her designee of the principal's request. If the Chief desires, the Superintendent and Chief, or their designees, shall meet with the SRO to mediate or resolve any problems. At such meeting, specified members of the staff of the school may be required to be present. If, within a reasonable amount of time after commencement of such mediation the problem cannot be resolved or mediated or in the event mediation is not sought by the Chief, then the SRO shall be removed from the program and a replacement shall be obtained.

8.2 The Chief may dismiss or reassign the SRO based upon Des Moines PD rules, regulations and/or general orders and when it is in the best interest of the parties, the students and the citizens of the City of Des Moines.

8.3 In the event of the resignation, dismissal, or reassignment of the SRO, or in the case of long term absences by the SRO, the Chief shall provide a temporary replacement for the SRO within thirty (30) school days of receiving notice of such absence, dismissal, resignation, or reassignment. As soon as practicable, the Chief shall appoint a permanent replacement for the SRO position.

IX. MISCELLANEOUS PROVISIONS

9.1 Effective Date. This Agreement shall be effective upon ratification by resolution of the governing body and execution by the Chief Executive Officer of each of the Parties.

9.2 Amendment. This Agreement may be amended only upon consent of all Parties hereto. Any amendment hereto shall be in writing and shall be ratified and executed by the Parties in the same manner in which it was originally adopted.

9.3 Waiver. The waiver by any party of any breach of any term, covenant, or condition of this Agreement shall not be deemed a waiver of any subsequent breach of the same term, covenant, or condition of this Agreement.

9.4 Severability. If any provision of this Agreement shall be held invalid, the remainder of this agreement shall not be affected thereby.

9.5 Entire Agreement. This Agreement represents the entire understanding of the Parties and supersedes any oral representations that are inconsistent with or modify its terms and conditions.

9.6 Counterparts. This Agreement shall be effective whether signed by all Parties on the same document or whether signed in counterparts.

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9.7 Notices. Except as otherwise provided in this Agreement, any notice required to be provided under the terms of this Agreement, shall be delivered by certified mail, return receipt requested or by personal service to:

John P. Welch, Superintendent
Highline School District No. 401
15675 Ambaum Boulevard SW
Burien WA 98166

Roger Baker, Chief of Police
City of Des Moines Police Department
21900 11th Ave. S
Des Moines WA 98198

EXECUTED and APPROVED by the Parties in identical counterparts of this Agreement, each of which shall be deemed an original hereof, on the dates set forth below.

APPROVED AS TO FORM this _____
day of _____, 2007.

DATED this _____ day _____ of _____, 2007.

CITY OF DES MOINES

By _____
City Attorney of Des Moines

By _____
Anthony A. Piasecki, Its City Manager

At the direction of the Des Moines City Council by resolution regularly passed at an open public meeting on _____, 20__.

APPROVED AS TO FORM this _____
day of _____, 2007.

DATED this _____ day of _____, 2007.

HIGHLINE SCHOOL DISTRICT NO. 401

By _____
Attorney for Highline School Dist. No. 401

By _____
John P. Welch, It

Res 1035
Paras 7-0
As Amended

AGENDA ITEM

BUSINESS OF THE CITY COUNCIL City of Des Moines, WA

SUBJECT: Interfund Loans from the Revenue
Stabilization Fund to the Police Services
Restoration Fund (Levy Lid Lift Fund)

FOR AGENDA OF: March 22, 2007

DEPT. OF ORIGIN: Finance

DATE SUBMITTED: March 15, 2007

ATTACHMENTS:

Draft Resolution 07-066
Attachment A – Police Services Restoration Fund
2007 Estimated Cash Flow

CLEARANCES:

☒ Finance ph
☐ Legal _____

APPROVED BY CITY MANAGER
FOR SUBMITTAL: AP

Purpose and Recommendation

The purpose of this Agenda Item is to request City Council approval for interfund loans in the amount not to exceed \$250,000 from the Revenue Stabilization Fund to the Police Services Restoration Fund (Levy Lid Lift Fund) to provide cash for expenditures in advance of receiving property taxes. An interest rate of 5.2% will be charged on all outstanding interfund loan proceeds until repayment. Interest rate is equivalent to the interest rate earned currently with funds invested with the State Local Government Investment Pool. Repayment will occur prior to December 31, 2007, depending upon cash availability.

SUGGESTED MOTION:

"I move to adopt draft Resolution No. 07-066 approving interfund loans in an amount not to exceed \$250,000 from the Revenue Stabilization Fund to the Police Services Restoration Fund at an interest rate of 5.2% on all outstanding interfund loan proceeds with repayments to occur prior to December 31, 2007, depending upon cash availability."

Background

The Police Department has pre-ordered vehicles, radios, and equipment. Currently, staff costs include funding for the .20 Evidence Technician, and two sergeant's promotions, and the Police Department's intent is to hire officers as viable candidates become available due to the competition from other jurisdictions to hire officers. Other costs are being incurred in advance of receiving property taxes. The Police Services Restoration Fund currently has a deficit cash balance.

Attachment A provides an estimate of the 2007 cash flow requirements for the Police Services Restoration Fund.

Discussion

The Police Services Restoration Fund will draw cash from the Revenue Stabilization Fund as needed to cover any deficit cash balance creating individual interfund loans. Interest expense will be paid to the Revenue Stabilization Fund at a rate of 5.2% on all outstanding interfund loan proceeds. Repayment will occur as sufficient property taxes become available within the Police Services Restoration Fund. All interfund loans will be repaid by December 31, 2007. The schedule below provides an estimate of the anticipated interfund loan draw downs.

<u>Estimated Loan Drawdowns:</u>	<u>Draw</u>	<u>Repayment</u>	<u>O/S Loans Balance</u>	<u>Interest Expense</u>	<u>Days OS</u>	<u>Interest Rate</u>
Retro to 02/01/2007	\$ 29,000.00		\$ 29,000.00	\$ 115.68	28	5.20%
03/01/2007	177,400.00		206,400.00	911.55	31	5.20%
04/01/2007			206,400.00	882.15	30	5.20%
05/01/2007		206,400.00	-			
09/01/2007	10,400.00		10,400.00	44.45	30	5.20%
10/15/2007		10,400.00	-	22.22	15	5.20%

Alternatives

None.

Recommendation

Staff recommends that the City Council approve interfund loans in an amount not to exceed \$250,000 from the Revenue Stabilization Fund to the Police Services Restoration Fund.

Concurrence

None.

CITY ATTORNEY'S FIRST DRAFT, 03/13/07

DRAFT RESOLUTION NO. 07-066

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DES MOINES, WASHINGTON, authorizing interfund loans to the Police Services Restoration Fund from the Revenue Stabilization Fund in the amount not to exceed \$250,000, authorizing the repayment of the interfund loans by the Police Services Restoration Fund to the Revenue Stabilization Fund, and setting the schedule for repayment and interest calculations on or before December 31, 2007.

WHEREAS, the City Council of the City of Des Moines has established the Police Services Restoration Fund during the 2007 budget process, and

WHEREAS, the Police Department has determined that there is a need to expend funds in advance of receiving property tax revenues in order to provide for the public's safety, and

WHEREAS, an estimated cash flow forecast indicates that the Police Services Restoration Fund is in need of temporary interfund loans until property tax revenues become available, and

WHEREAS, the interfund loans will be repaid on or before December 31, 2007, ~~depending on cash availability~~; now therefore,

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

Sec. 1. The Revenue Stabilization Fund will provide the Police Services Restoration Fund interfund loan proceeds in an amount not to exceed \$250,000 to cover any cash deficit during 2007.

Sec. 2. The Police Services Restoration Fund will make monthly interest payments on the outstanding loan proceeds to the Revenue Stabilization Fund at an interest rate of 5.20%.

Sec. 3. Upon the availability of property tax revenues that result in a positive ending cash balance, the Police Services Restoration Fund will repay the outstanding interfund loans to the Revenue Stabilization Fund, but no later than December 31, 2007.

ADOPTED BY the City Council of the City of Des Moines, Washington this _____ day of _____, 2007 and signed in authentication thereof this _____ day of _____, 2007.

Resolution No. _____
Page 2 of ____

M A Y O R

APPROVED AS TO FORM:

City Attorney

ATTEST:

City Clerk

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City of Des Moines, Washington
Police Services Restoration Fund
Fund 112
2007 Estimated Cash Flow

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Beginning Fund Balance	\$ -	\$ (14,808.22)	\$ 60.70	\$ 80.18	\$ 189,219.63	\$ 252,156.48	\$ 181,464.48	\$ 125,404.48	\$ 66,082.48	\$ 79.48	\$ 329,548.03	\$ 430,011.81	\$ -
Revenues:													
Property Taxes	-	-	40,574.00	323,240.00	316,478.00	8,115.00	4,057.00	8,115.00	24,344.00	421,970.00	181,231.00	6,762.00	1,334,886.00
Expenditures:													
Sergeants' Promotion	625.61	1,015.00	1,015.00	1,015.00	1,015.00	1,015.00	1,015.00	1,015.00	1,015.00	1,015.00	1,015.00	1,015.00	11,790.61
.20 Evidence Technician	788.52	790.00	790.00	790.00	790.00	790.00	790.00	790.00	790.00	790.00	790.00	790.00	9,478.52
Patrol Officers (6)					8,622.00	15,932.00	23,242.00	30,562.00	37,872.00	45,182.00	43,870.00	45,670.00	250,952.00
CSO Officers (3)				14,124.00	18,572.00	17,260.00	17,260.00	17,260.00	17,260.00	17,260.00	17,260.00	18,160.00	154,416.00
Supplies				1,080.00	1,080.00	1,080.00	1,080.00	1,080.00	1,080.00	1,080.00	1,080.00	1,080.00	9,720.00
Prof Svcs - Sergeant's Promotion Testing	4,005.00												4,005.00
Other Prof Svcs			20,000.00			26,000.00			26,000.00			26,000.00	98,000.00
Communications				1,180.00	1,180.00	1,180.00	1,180.00	1,180.00	1,180.00	1,180.00	1,180.00	1,180.00	10,620.00
Recruitment Advertising - CSO Officers		660.01				550.00	550.00	550.00	550.00	550.00	550.00	550.00	660.01
Travel													3,850.00
Vehicles, Radios & Equipment	9,389.09	7,121.57	133,489.34										150,000.00
Technology - Police Website Development		4,544.50	4,544.50										9,089.00
Technology - Other				15,000.00	15,000.00	15,000.00	15,000.00	15,000.00	15,000.00	15,000.00	15,000.00	15,000.00	135,000.00
Remodel Support Services Office			28,000.00										28,000.00
Redondo Substation				100,000.00									100,000.00
Emergency Management Coordinator			30,000.00									22,461.00	30,000.00
Interfund Reimbursements										44.45	22.22		22,461.00
Interfund Loan Interest Expense			115.68	911.55	882.15					82,101.45	80,767.22	131,906.00	1,976.05
Total Expenditures	14,808.22	14,131.08	217,954.52	134,100.55	47,141.15	78,807.00	60,117.00	67,437.00	100,747.00	82,101.45	80,767.22	131,906.00	1,030,018.19
Ending Fund Balance	\$ (14,808.22)	\$ (28,939.30)	\$ (177,319.82)	\$ 189,219.63	\$ 458,556.48	\$ 181,464.48	\$ 125,404.48	\$ 66,082.48	\$ (10,320.52)	\$ 339,948.03	\$ 430,011.81	\$ 304,867.81	\$ 304,867.81
Interfund Loan Draw		29,000.00	177,400.00						10,400.00				216,800.00
Interfund Loan Repayment					(206,400.00)					(10,400.00)			(216,800.00)
Revised Ending Fund Balance	\$ (14,808.22)	\$ 60.70	\$ 80.18	\$ 189,219.63	\$ 252,156.48	\$ 181,464.48	\$ 125,404.48	\$ 66,082.48	\$ 79.48	\$ 329,548.03	\$ 430,011.81	\$ 304,867.81	\$ 304,867.81

Res 1034

Passed 7-0

AGENDA ITEM

BUSINESS OF THE CITY COUNCIL City of Des Moines, WA

SUBJECT:

Resolution Adopting the Federal National Incident Management System ("NIMS) for the City of Des Moines

ATTACHMENT

- Draft Resolution 07-070

FOR AGENDA OF: March 22, 2007

DEPT. OF ORIGIN: Police

DATE SUBMITTED: March 16, 2007

CLEARANCES:

☒ Legal 

☒ Police

APPROVED BY CITY MANAGER
FOR SUBMITTAL: _____

PURPOSE

The purpose of this agenda item is to take action on a resolution to ensure the City of Des Moines complies with a directive by the U.S. Department of Homeland Security, that local jurisdictions must adopt the National Incident Management System (NIMS) in order to receive federal Homeland security assistance after October 1, 2005.

SUGGESTED MOTION: "I move to approve Draft Resolution No. 07-070."

Recommended Action:

It is staff's recommendation to approve the resolution on the Consent Calendar.

Background:

The U.S. Department of Homeland Security has established the National Incident Management System (NIMS) to enhance communication and coordination between all emergency staff. Homeland Security has determined that jurisdictions that do not comply with NIMS requirements will no longer be eligible to receive federal Homeland Security financial assistance.

The City of Des Moines in its emergency planning has begun to take the appropriate steps to comply with the Homeland Security requirements. One of the requirements is City Council action on a resolution to adopt the NIMS for incident management and to incorporate NIMS into the city's Emergency Management Plan.

Discussion

This resolution is one of the federal elements required in order to ensure a community's compliance with NIMS. In our efforts to secure additional funding for emergency management issues federal assistance from the department of Homeland Security will be extremely beneficial.

Financials:

Not adopting the resolution could create a situation where the City of Des Moines would not be eligible for federal Homeland Security financial assistance.

Recommendation/Conclusion:

Staff recommends adoption of this resolution.

CITY ATTORNEY'S FIRST DRAFT - 03/19/07

DRAFT RESOLUTION NO. 07-070

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DES MOINES, WASHINGTON, ADOPTING THE FEDERAL NATIONAL INCIDENT MANAGEMENT SYSTEM ("NIMS") FOR THE CITY OF DES MOINES

WHEREAS, the President of the United States, in Homeland Security Directive (HSPD)-5, directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System (NIMS), which would provide a consistent nationwide approach for Federal, State, local, and tribal governments to work together more effectively and efficiently to prevent, prepare for, respond to and recover from domestic incidents, regardless of cause, size or complexity; and

WHEREAS, NIMS incorporates best practices currently in use by incident managers at all levels and was developed through extensive outreach to State, local and tribal officials, the emergency response community and the private sector; and

WHEREAS, the collective input and guidance from all Federal, State, local, and tribal homeland security partners has been, and will continue to be, vital to the development, effective implementation and utilization of a comprehensive NIMS; and

WHEREAS, it is necessary and desirable that all Federal, State, local and tribal emergency agencies and personnel coordinate their efforts to effectively and efficiently provide the highest levels of incident management; and

WHEREAS, to facilitate the most efficient and effective incident management it is critical that Federal, State, local, and tribal organizations utilize standardized terminology, standardized organizational structures, interoperable communications, consolidated action plans, unified command structures, uniform personnel qualification standards, uniform standards for planning, training, and exercising, comprehensive resource management, and designated incident facilities during emergencies or disasters; and

WHEREAS, NIMS establishes federally recognized standard incident management processes, protocols, and procedures that

all responders - Federal, State, tribal and local - will use to coordinate and conduct response actions; and

WHEREAS, the NIMS standardized procedures for managing personnel, communications, facilities and resources will improve the City's and the State's ability to utilize federal funding to enhance local and State agency readiness, maintain first responder safety, and streamline incident management processes; and

WHEREAS, the Incident Command System components of NIMS are already an integral part of various incident management activities throughout the State, including current emergency management training programs; and

WHEREAS, responders using the same standardized procedures will all share a common focus and will be able to place full emphasis on incident management when an incident occurs, whether it is terrorism or a natural disaster. In addition, national preparedness and readiness in responding to and recovering from an incident is enhanced since all of the nation's emergency teams and authorities are using a common language and set of procedures; and

WHEREAS, the National Commission on Terrorist Attacks (9-11 Commission) recommended adoption of a standardized Incident Command System; and

WHEREAS, Homeland Security Presidential Directive-5 states that NIMS must be adopted by state and local organizations as a condition for federal preparedness assistance after October 1, 2005; now therefore,

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

Sec. 1. The City Council hereby adopts the National Incident Management System ("NIMS"), which shall be utilized for all incident management in the City.

Sec. 2. The City of Des Moines shall incorporate NIMS into the City of Des Moines Emergency Management Plan.

Resolution No. ____
Page 3 of ____

ADOPTED BY the City Council of the City of Des Moines,
Washington this ____ day of ____, 2007 and signed in
authentication thereof this ____ day of ____, 2007.

M A Y O R

APPROVED AS TO FORM:

City Attorney

ATTEST:

City Clerk

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Page 7-0

NEW BUSINESS
Item #3

AGENDA ITEM

BUSINESS OF THE CITY COUNCIL City of Des Moines, WA

SUBJECT: Des Moines Arts Commission
Program Proposal and Budget Request

FOR AGENDA OF: March 22, 2007

DEPT. OF ORIGIN: Parks, Recreation and
Senior Services

ATTACHMENTS:

- A. Amended 2007 Budget Request Des Moines
Arts Commission
- B. Des Moines Arts Commission, Vision, Mission,
Goals

DATE SUBMITTED: March 15, 2007

CLEARANCES:

[x] Parks & Recreation Director 

[x] Finance Director 

APPROVED BY CITY MANAGER
FOR SUBMITTAL: 

Purpose and Recommendation:

The purpose of this agenda item is to request City Council's approval of the proposed 2007 Des Moines Arts Commission program and the proposed amendment to the 2007 Budget related to expenditures and revenues. The Des Moines City Council appropriated \$10,000 funding for Arts Commission programs in the 2007 General Fund Budget. The Arts Commission has secured additional \$9,000 grant funding for 2007 community arts programming and seeks Council approval to increase its appropriation to reflect this change.

Recommended Motion: "I move to approve the 2007 Des Moines Arts Commission program expenditures and revenues as proposed and direct staff to include the appropriations in the next available budget amendment coming before Council."

Background:

The City Council unanimously adopted Ordinance No. 06-1393 establishing the Des Moines Arts Commission in November 30, 2006. City Council approved a \$10,000 budget for Arts Commission business as part of the City's 2007 budget process and requested that once appointed, the Commission return to Council with a program for the expenditure of funds.

Discussion:

The Mayor and City Council appointed nine members to the Arts Commission in February, 2007. Although only recently formally appointed, the Arts Commission citizen representatives have spent many months planning the development of their proposed work plan and budget for 2007 (Attachment A) and request City Council support their proposal.

The Commissioners have applied their commitment and artistic knowledge to create their vision, mission, goals, and programs which are proposed as a starting point to meet the cultural needs of the Des Moines community (Attachment B).

Alternatives:

None provided.

Financial Impact:

City Council appropriated \$10,000 for Arts Commission business in the City's 2007 General Fund Budget. The amended budget proposed by the Arts Commission increases budget expenditures to \$19,000 based on its success with securing additional grant revenues in the amount of \$9,000 from 4Culture (a King County arts organization) and the Des Moines Legacy Foundation (a local foundation supporting Parks, Recreation and Senior Services) as identified in Attachment A.

Recommendation/Conclusion:

The Des Moines Arts Commission recommends City Council support of their proposed 2007 program and budget request.

Concurrence:

The Parks, Recreation and Senior Services and Finance Departments support this proposal.

BUDGET NARRATIVE

2007

FUND: GENERAL
 DEPARTMENT: PARKS, RECREATION AND SENIOR SERVICES
 DIVISION: DES MOINES ARTS COMMISSION

Account No.	Title	Narrative	Amended Arts Comm. Request	Executive Amendment	Adopted
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001.310.045.573.20

DES MOINES ARTS COMMISSION

\$ 19,000

\$ 10,000

The Arts Commission is established to nourish art programs and to recommend works of art for the City to enhance the City's facilities and the local environment. The Arts Commission Committee will seek government grants or other sources to support the following programs in 2007 and beyond.

Visual Arts Programs:

- Des Moines Library Sculpture Project
- Waterfront Mural at S. Marina Park
- Portable City Art Collection
- Waterfront District Art Walk
- Community Public Art Program
- Fine Art Show

Performing/Community Arts Programs:

- Summer Concert Series, including the 4th of July
- Kids Arts Day
- Missoula Childrens Theatre
- Blues & Jazz Festival
- Tall Ships Arts Festival
- Performing Arts Series
- Grants of local arts organizations or artists

Sources of 2007 Program Revenue

4Culture Grant

\$ 4,000

Des Moines Legacy Foundation

\$ 5,000

TOTAL PROJECTED REVENUE:

\$ 9,000

CITY OF DES MOINES

AMENDED 2007 BUDGET REQUEST

DES MOINES ARTS COMMISSION

001.310.045 ARTS COMMISSION		2005 ACTUAL	2006 ADOPTED	2006 ACTUAL Jan-Aug	2006 EST YR TOTAL	2007 DEPT REQUEST	2007 EXEC AMEND	2007 ADOPTED	2008 EST
573.20.31									
573.20.41	PROFESSIONAL SERVICES	0	0	0	0	17,500		10,000	25,000
573.20.42	COMMUNICATIONS	0	0	0	0	0		0	0
573.20.43	TRAVEL	0	0	0	0	0		0	0
573.20.44	ADVERTISING	0	0	0	0	750		0	0
573.20.49	MISCELLANEOUS	0	0	0	0	750		0	0
ARTS COMMISSION TOTAL:		0	0	0	0	19,000		10,000	25,000

DES MOINES ARTS COMMISSION

VISION:

Des Moines... Recognized for its lively appreciation of the arts as well as its geographic beauty.

MISSION:

The mission of the Des Moines Arts Commission is to provide leadership in establishing cultural opportunities to improve the quality of life, enhance the aesthetic environment and to promote Des Moines as a center for great arts.

GOALS:

- (1) Represent the interest of the City in matters of the arts, to be a spokes group for the arts in the City and to keep the City Council informed on all such related matters.
- (2) Evaluate, prioritize, and make recommendations on funding for cultural arts needs within the City.
- (3) Review and recommend works of art for the City, especially works to be acquired through appropriations set aside from municipal construction projects. Local artists will be encouraged and given equal consideration for these projects.
- (4) Inform, assist, sponsor or coordinate with arts organizations, artists, or others interested in the cultural advancement of the community.
- (5) Encourage and aid programs for the cultural enrichment of the citizens of Des Moines and encourage more public visibility of the arts.
- (6) Develop cooperation with schools, local, regional, state and national arts organizations.
- (7) Obtain private, local, regional, state or federal funds to promote arts projects within the Des Moines community.

Proposed 2007/2008 Des Moines Arts Commission Programs:

The Arts Commission work program proposes taking a leadership role and/or participating with the following programs within the next two years. Programs identified with an asterisk would be initiated in 2007 by utilizing \$10,000 funds appropriated by City Council and an additional \$9,000 funds received by granting organizations:

Public/Visual Arts:

- Des Moines Library Sculpture Project*- Arts Commission would contribute funding to the Des Moines Library Project to provide public art at this City facility.
- South Marina Park Mural Project*- Arts Commission would utilize professional artists and volunteers to design and paint a mural representative of the history and use of the site.
- Waterfront District Art Walk*- Arts Commission would work with local artists, galleries and businesses to establish an Art Walk within Des Moines downtown core.
- Fine Art Show- Arts Commission would create an annual juried fine art show to highlight the work of local visual artists.
- Portable City Art Collection- Arts Commission would develop policies for the selection and maintenance of a portable art collection for display in the City's public spaces.

- Community Public Art Program- Arts Commission would develop policies for the purchase or commissioning of public art.

Performing/Community Arts:

- Summer Concerts*- Arts Commission would select and schedule a series of summer concerts in coordination with the City's Parks & Recreation and Marina Departments, Farmers Market and Destination Des Moines community events.
- Kids Arts Day at the Farmers Market*- Arts Commission would collaborate with the Farmers Market to develop an accessible "hands on" arts event specifically for elementary age children.
- Missoula Children's Theatre*- Arts Commission would work with the Parks & Recreation Department to provide this annual children's theatre production.
- Jazz & Blues Festival*- Arts Commission would develop this one- two day musical event featuring jazz and blues musicians.
- Tall Ships Arts Festival- Arts Commission would work with Destination Des Moines to create a waterfront oriented arts festival that aligns with Tacoma's Tall Ships Festival in July 2008
- Performing Arts Series- Arts Commission would develop a series of indoor performing arts events at local venues.
- Grants to local artists and arts organizations- Arts Commission would provide small grants to local artists and arts organizations to provide public programs and performances for Des Moines citizens.

AGENDA ITEM

BUSINESS OF THE CITY COUNCIL City of Des Moines, WA

SUBJECT: Developer Input on the Pacific Ridge
Vision and Code

ATTACHMENTS:

1. DMMC18.31 Pacific Ridge Zone
2. Chapter 11. Pacific Ridge Element, Des Moines Comprehensive Plan
3. Excerpts from the City of Des Moines Economic Development Strategy prepared by Ravenhurst Development, Inc.
4. Excerpt, Des Moines City Council Minutes, June 1, 2006
5. Des Moines City Council Special Meeting Minutes, July 31, 2006
6. Pacific Ridge Neighborhood Design Guidelines
7. October 27, 2006 Letter from Mayor to Developers

FOR AGENDA OF: March 22, 2007

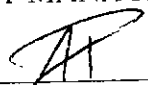
DEPT. OF ORIGIN: Planning, Building & Public Works

DATE SUBMITTED: March 13, 2007

CLEARANCES:

[X] PBPW 

APPROVED BY CITY MANAGER

FOR SUBMITTAL: 

Purpose and Recommendation

The purpose of this agenda item is to provide the City Council an opportunity to discuss the Pacific Ridge vision and code with members of the Development Community and consider changes that may be necessary to facilitate the re-development of Pacific Ridge Neighborhood.

Background

On July 13, 2000, the City Council adopted Ordinance No 1267, establishing the Pacific Ridge Zone and codified it as DMMC 18.31. This action culminated two years of effort aimed at providing development regulations that would promote redevelopment of properties in Pacific Ridge in order to create attractive, safe, and desirable areas to work and reside.

On June 1, 2006, the City Council began a discussion of the Vision and what, if anything, more should be done to achieve it. The discussion continued on July 31, 2006 resulting in direction to the Finance and Economic Development Committee to more fully explore ways that successful Central Puget Sound developers might suggest the City consider to facilitate Pacific Ridge Neighborhood re-development.

The Mayor sent letters to 24 prominent developers on October 27, 2006 and the Mayor and staff followed up by telephone in early March 2007 inviting available developers or their representatives to the March 22nd City Council Study Session to share ideas on Pacific Ridge redevelopment.

Discussion

When the City Council adopted DMMC 18.31 in 2000, it was understood that redevelopment of the Pacific Ridge area would occur over many years. In the seven years that the Pacific Ridge code has been in place, only one significant project has been built (Walgreen's). At this time, many properties in the area have changed hands, staff continues to field questions from owners and developers regarding the Pacific Ridge regulations, and there are three projects in various stages of review and permitting.

It has been suggested that adopting certain changes to DMMC 18.31 would provide more incentive for redevelopment and a faster pace of redevelopment activity. See, for example, the attached information from the Economic Development Strategy prepared by Ravenhurst Development, Inc. The City has also received requests from property owners to add a use to DMMC 18.31 which is currently not allowed and for the City to temporarily allow a use that is not allowed.

At a retreat held May 13, 2006, the City Council added a strategic objective to its list of objects that calls for review of the Pacific Ridge vision. While there was not complete agreement that changes need to be made to the Pacific Ridge Zone, the general consensus of the Council was that reviewing the vision was appropriate, given that six years had past since adoption.

The following policy questions continue to be raised by current or prospective property owners and developers in the Pacific Ridge Neighborhood:

1. Should building heights continue to be limited to 55 feet in the majority of the Pacific Ridge commercial zone?
2. Should underground parking structures continue to be required?
3. Should wood frame construction continue to be limited for commercial construction?
4. What incentives or additional help should the City offer developers, business and property owners to:
 - a. Promote re-development that optimally develops these properties, or
 - b. Make the Neighborhood more "City friendly", or
 - c. Help encourage land assemblage?
5. Should the City accommodate interim property uses that are inconsistent with the long-range vision of the Neighborhood?
6. Where would Sound Transit's Link Light Rail corridor through the Neighborhood best support redevelopment?

Financial Impact

None at this time

Recommendation

None. Staff is requesting direction from the City Council.

Chapter 18.31 PACIFIC RIDGE ZONE

Sections

- 18.31.010 Purpose.**
- 18.31.020 Subareas within Pacific Ridge zone.**
- 18.31.030 PR-R – Permitted uses.**
- 18.31.040 PR-C1 – Permitted uses.**
- 18.31.050 PR-C1 – Uses allowed in conjunction with a permitted use.**
- 18.31.060 PR-C2 – Permitted uses.**
- 18.31.070 PR-C2 – Uses allowed in conjunction with a permitted use.**
- 18.31.080 Environmental performance standards and general limitations.**
- 18.31.090 Dimensional standards.**
- 18.31.100 General site design requirements.**
- 18.31.110 General building design requirements.**

18.31.010 Purpose.

The principal objective and purpose of this zone and its application is to implement the Greater Des Moines Comprehensive Plan, Pacific Ridge Neighborhood Improvement Plan, and other adopted policies for the commercial and residential areas of Pacific Ridge.

Furthermore, it is the objective and purpose of this zone to provide development regulations that will promote redevelopment of Pacific Ridge properties in order to create attractive, safe, and desirable areas to work and reside. Redevelopment of Pacific Ridge is appropriate because this area has excellent access to transportation facilities, view opportunities, and higher-density development which can help Des Moines meet or exceed population and employment growth targets specified by the countywide planning policies for King County. Also, redevelopment of Pacific Ridge properties is appropriate because many of the existing structures and land uses have resulted in social problems such as: high crime rates (especially major felony crimes); declining property values; unsafe and undesirable housing conditions; insufficient building and property maintenance; absentee property ownership/management; violation of zoning, construction, and health codes; transient residency; and marginal businesses.

A related consideration is to make it possible to efficiently and economically plan for, design, finance, and provide public services, capital facilities, and utilities for the populations and activities within this zone. For all of the above reasons, the purpose of this chapter is to promote public health, safety, and welfare through redevelopment of Pacific Ridge properties. [Ord. 1267 § 2(part), 2000.]

18.31.020 Subareas within Pacific Ridge zone.

(1) Except as provided below, properties within the Pacific Ridge zone are located within one of three subareas as illustrated by the zoning map designated by DMMC 18.80.010. The three subareas, hereafter referred to as zones, have unique land use and development regulations, and some general regulations apply to each zone. The three Pacific Ridge zones are as follows:

- (a) PR-R, Pacific Ridge Residential.
 - (b) PR-C1, Pacific Ridge Commercial 1.
 - (c) PR-C2, Pacific Ridge Commercial 2.
- (2) Other zones may be applied to existing and planned public facilities, parks, utilities, and similar land uses.
- (3) For application of the general provisions of this title, PR-R is a multifamily residential zone while PR-C1 and PR-C2 are commercial zones. [Ord. 1267 § 2(part), 2000.]

18.31.030 PR-R – Permitted uses.

Only those uses listed below, and uses similar in nature as determined by the community development director, are permitted in the PR-R zone. Uses are more fully described in the “North American Industrial Classification System”. Listed uses may be otherwise conditioned in this code. The numbers in parentheses following each of the following listed uses refer to North American Industrial Classification System (NAICS) code numbers:

- (1) Multifamily dwellings (no NAICS code);
- (2) Religious organizations (813110);
- (3) Nursing care facilities (623110) and community care facilities for the elderly (6233);
- (4) Public utility facilities and appurtenances necessary for the distribution of utility services to final customers within the immediate area;
- (5) Mixed use (no NAICS code), subject to the limitations below and the limitations provided in DMMC 18.31.090, Environmental performance standards and general limitations:
 - (a) Total nonresidential floor area shall not exceed 900 square feet per building;
 - (b) Permitted nonresidential uses shall be limited to the following:
 - (i) Retail trade (44-45), limited to the following:
 - (A) Food and beverage stores (445);
 - (B) Health and personal care stores (446);
 - (ii) Real estate and rental and leasing (53), limited to the following:
 - (A) Offices of real estate agents and brokers (5312);
 - (B) Real estate property managers (53131);
 - (C) Offices of real estate appraisers (53132);
 - (D) Other activities related to real estate (53139); and
 - (E) Video tape and disc rental (53223);
 - (iii) Health care and social assistance (62), limited to the following:
 - (A) Ambulatory health care services (621) except blood and organ banks (621991); and
 - (B) Child care facilities (6244);
 - (iv) Food services and drinking places (722), limited to the following:
 - (A) Full service restaurants (7221); and
 - (B) Limited-service eating places (7222);
 - (v) Other services (81), limited to the following:
 - (A) Footwear and leather goods repair (811430);
 - (B) Personal care services (8121);
 - (C) Drycleaning and laundry services (8123); and

- (D) Photofinishing (81292);
- (vi) Public administration (92), limited to police protection (92212);
- (6) Botanical gardens (712130);
- (7) Public parks (no NAICS code);
- (8) The following buildings, structures and uses are allowed when accessory to a use otherwise permitted by this chapter:
 - (a) Ancillary and incidental indoor storage and maintenance facilities related to onsite buildings and uses;
 - (b) Telecommunication facilities as allowed by Title 20 DMMC;
 - (c) Recreation facilities for use by residents of the property;
 - (d) Child and adult day care as regulated and licensed by the Washington State Department of Social and Health Services, or its successor agency;
 - (e) Home occupation, subject to the following limitations:
 - (i) The occupation shall be conducted entirely within the dwelling;
 - (ii) The occupation shall not require structural features that are not customary or incidental in a dwelling;
 - (iii) No signs identifying or advertising the home occupation, or other exterior evidence of the home occupation is allowed;
 - (iv) A business license as provided by Title 5 DMMC is granted by the city for the home occupation;
 - (v) In authorizing a home occupation, the city manager may impose conditions of approval as necessary to ensure the activity is compatible with the surrounding uses;
 - (vi) In the event the city manager determines that the home occupation has resulted in adverse land use impacts, the city manager is authorized to impose additional conditions of approval as necessary; and
 - (viii) In the event the nature or extent of the home occupation changes so that the adverse land use impacts cannot be satisfactorily mitigated, the city manager may revoke all approvals and licenses related to the home occupation. [Ord. 1267 § 2(part), 2000.]

18.31.040 PR-C1 – Permitted uses.

Only those uses listed below, and uses similar in nature as determined by the community development director, are permitted in the PR-C1 zone. Uses are more fully described in the “North American Industrial Classification System”. Listed uses may be otherwise conditioned in this code. The numbers in parentheses following each of the following listed uses refer to North American Industrial Classification System (NAICS) code numbers:

- (1) Retail trade (44-45), except the following:
 - (a) Automobile dealers (4411);
 - (b) Other motor vehicle dealers (4412);
 - (c) Tire dealers (44132);
 - (d) Manufactured (mobile) home dealers (45393);
 - (e) Heating oil dealers (454311); and
 - (f) Other fuel dealers (454319);

- (2) A maximum of one gasoline station (447) is permitted within the PR-C1 zone. Buildings

containing only a gasoline station are not subject to the minimum building height provisions contained in this chapter;

- (3) Limousine service (485320) when primarily contained within an enclosed structure;
- (4) Postal service (491);
- (5) Couriers and messengers (492);
- (6) Information establishments (51), except telecommunication (5133), which is regulated by Title 20 DMMC;
- (7) Finance and insurance (52);
- (8) Real estate and rental and leasing (53), except the following:
 - (a) Lessors of miniwarehouses and self-storage units (53113);
 - (b) Automotive equipment rental and leasing (5321); and
 - (c) Commercial and industrial machinery and equipment rental and leasing (5324);
- (9) Professional, scientific, and technical services (54), except off-premises signs (billboards) which are regulated by chapter 18.42 DMMC;
- (10) Management of companies and enterprises (55);
- (11) Administrative and support services (56), except the following:
 - (a) Repossession services (561491);
 - (b) Services to buildings and dwellings (5617); and
 - (c) Waste management and remediation services (562);
- (12) Educational services (61);
- (13) Health care and social assistance (62), subject to the following limitations:
 - (a) The following uses are prohibited:
 - (i) Outpatient mental health and substance abuse centers (62142);
 - (ii) Hospitals (622);
 - (iii) Residential mental retardation, mental health, and substance abuse facilities (6232);
 - (b) Permitted nursing and residential care facilities (623) and community care facilities for the elderly (6233) are allowed only within the residential portion of a mixed-use building;
- (14) Arts, entertainment, and recreation (71) subject to the following limitations:
 - (a) The following uses are prohibited:
 - (i) Spectator sports (7112);
 - (ii) Amusement, gambling, and recreation industries;
 - (b) Adult entertainment facilities and adult motion picture theaters (no NAICS code) are prohibited within 500 feet of the property lines of churches, common schools, day care centers, public facilities, or other adult entertainment facility or adult motion picture theater;
- (15) Accommodation and food services (72), limited to the following:
 - (a) Hotels (72111), subject to the following:
 - (i) Casino hotels and motels are prohibited; and
 - (ii) Hotels and resort hotels are further allowed as follows:
 - (A) Hotels and resort hotels shall contain a minimum of 125 guest rooms; and
 - (B) Hotels and resort hotels shall contain meeting room facilities; and
 - (C) A maximum of six hotel and/or resort hotel developments shall be allowed within the PR-C1 zone; and

- (D) A maximum of 1,500 guestrooms shall be allowed within the PR-C1 zone;
- (b) Food services and drinking places (722), subject to the following provisions:
- (i) Fast food restaurants (722211) are allowed only in conjunction with a permitted use;
 - (ii) Mobile food services (72233) are regulated by chapter 5.57 DMMC;
 - (iii) Drive-through facilities are prohibited;
 - (iv) Buildings containing only a full-service restaurant (72211) are not subject to the minimum building height provisions contained in this chapter;
- (16) Other services (81), subject to the following limitations:
- (a) The following uses are prohibited:
 - (i) Automotive transmission repair (811113);
 - (ii) Carwashes (811192), except automotive detail shops;
 - (iii) Other automotive repair and maintenance (811198);
 - (iv) Death care services (8122);
 - (v) Industrial launderers (812332); and
 - (vi) Commercial parking lots and garages (812930);
 - (b) A maximum of one development providing enclosed building area for automobile body, paint, interior, and/or glass repair (81112) shall be allowed in the PR-C1 zone;
 - (c) A maximum of three of any of the following automotive repair and maintenance uses shall be allowed in the PR-C1 zone:
 - (i) General automotive repair (811111);
 - (ii) Automotive exhaust system repair (811112);
 - (iii) Automotive oil change and lubrication shops (811191);
 - (d) Pet boarding (812910) is allowed only in conjunction with a permitted use;
- (17) Public administration (92), except the following:
- (a) Correctional institutions (92214); and
 - (b) Parole offices and probation officers (92215);
- (18) Mixed use (no NAICS code) when dwellings are located above the second story of the building;
- (19) Public parks (No NAICS code); and
- (20) Public utility facilities and appurtenances necessary for the distribution of utility services to final customers within the immediate area. [Ord. 1267 § 2(part), 2000.]

18.31.050 PR-C1 – Uses allowed in conjunction with a permitted use.

The uses listed below, and uses similar in nature as determined by the community development director, are only allowed in the PR-C1 zone when located within the same building as a permitted use. Uses are more fully described in the "North American Industrial Classification System". Listed uses may be otherwise conditioned in this code. The numbers in parentheses following each of the following listed uses refer to North American Industrial Classification System (NAICS) code numbers:

- (1) Fast food restaurants (722211);
- (2) Pet boarding (812910). [Ord. 1267 § 2(part), 2000.]

18.31.060 PR-C2 – Permitted uses.

Only those uses listed below, and uses similar in nature as determined by the community development director, are permitted in the PR-C2 zone. Uses identified in this section are more fully described in the “North American Industrial Classification System”. Listed uses may be otherwise conditioned in this code. The numbers in parentheses following each of the following listed uses refer to North American Industrial Classification System (NAICS) code numbers:

(1) Except for the uses listed below, uses permitted in the PR-C1 zone are permitted in the PR-C2 zone:

- (a) Hospitals (622);
- (b) Nursing and residential care facilities (623);
- (c) Community housing services (62422);
- (d) Hotels and motels (72111);
- (e) Mixed use (no NAICS code);
- (f) Adult entertainment facilities and adult motion picture theaters (no NAICS code);
- (2) Tire dealers (44132);
- (3) Gasoline stations (447);
- (4) Automotive repair and maintenance (8111). [Ord. 1267 § 2(part), 2000.]

18.31.070 PR-C2 – Uses allowed in conjunction with a permitted use.

The uses listed below, and uses similar in nature as determined by the community development director, are only allowed in the PR-C2 zone when located within the same building as a permitted use. Uses are more fully described in the “North American Industrial Classification System”. Listed uses may be otherwise conditioned in this code. The numbers in parentheses following each of the following listed uses refer to North American Industrial Classification System (NAICS) code numbers:

- (1) Fast food restaurants (722211);
- (2) Pet boarding (812910);
- (3) Light manufacturing, processing, and assembly of goods sold onsite at retail (no NAICS code). [Ord. 1267 § 2(part), 2000.]

18.31.080 Environmental performance standards and general limitations.

Every use permitted within the PR zone shall conform to the following general limitations and standards:

- (1) Provisions applicable to all PR zones:
 - (a) Accessory uses are permitted that are customarily appurtenant or incidental to the principally permitted uses.
 - (b) Landscaping and screening are required in accordance with chapter 18.41 DMMC.
 - (c) Off-street parking and loading areas are required in accordance with chapter 18.44 DMMC.
 - (d) Mixed-use development shall conform to the following limitations and standards:
 - (i) Within a mixed-use building, nonresidential building area shall be located at or near street level, and shall be visible from the public right-of-way;
 - (ii) Within the PR-C1 zone, structures containing only residential uses are allowed on

corner and through lots when a commercial or mixed-use structure is located along the Pacific Highway South frontage; and

(iii) Onsite multifamily recreation area is required for developments with four or more dwelling units as provided by chapter 18.45 DMMC, except the minimum area of common recreation space per dwelling unit shall be 50 square feet.

(e) Capital Facilities, Utilities, and Public Services.

(i) All capital facilities, utilities, and public services must be adequate to support the proposed land use or structure, including but not limited to drainage; street and walkway systems, both on-site and off-site; sewer and water systems; fire protection; police service; electrical power; and telecommunications. Improvements to capital facilities, utilities, and public services shall conform to adopted plans, policies, and regulations.

(ii) All development shall be required to install or pay for a proportional share of any new facilities or utilities required to serve the development. Mechanisms such as latecomer's agreements and impact fees may be used to equitably distribute the cost of required improvements.

(iii) Except for high-voltage (i.e., 115 kV) transmission circuitry, all preexisting and newly installed utilities on site and within the abutting rights-of-way shall be placed underground.

(f) Nuisances.

(i) As provided by chapter 9.64 DMMC, no use, activity, or equipment shall be permitted that creates a nuisance or is offensive, objectionable, or hazardous by reason of creation of odors, noise, sound, light or glare, steam, vibrations, dust, dirt, smoke, or other pollutants, fumes or gases (toxic or nontoxic), radiation, explosion or fire hazard, or by reason of the generation, disposal, or storage of hazardous or dangerous wastes or materials in a manner(s) inconsistent with Title 70 RCW as presently constituted or as may be subsequently amended.

(ii) In addition to the uses, activities and equipment deemed a nuisance under the provisions of the previous paragraph, the following are declared to be nuisances in all PR zones: all houses, housing units, other buildings, premises or places of resort where controlled substances identified in Article II of chapter 69.50 RCW and not authorized by that chapter, are manufactured, delivered, or possessed, or where any such substance not obtained in a manner authorized by chapter 69.50 RCW is consumed by ingestion, inhalation, injection, or any other means.

(iii) Any person, firm or corporation found by a court of competent jurisdiction to be keeping or maintaining a nuisance as provided in this chapter shall be liable for all costs and expenses of abating the same, when the nuisance is abated by any officer of the city, and the costs and expenses shall be taxed as part of the cost of said prosecution against the party liable, to be recovered as other costs are recovered. In addition to other powers given in the Des Moines Municipal Code and other applicable law to collect such costs and expenses, the city may bring suit for the same in any court of competent jurisdiction against the person, firm or corporation allowing, creating, enabling, keeping, maintaining or otherwise failing to correct the nuisance so abated.

(g) Hazardous Substances.

(i) No use permitted in this chapter, with the exception of public utility and service

facilities, shall store any hazardous substance, except that for the purposes of this chapter the following substances shall be exempt:

(A) Heating oil stored in an underground tank sufficiently contained so as to preclude soil and ground water contamination;

(B) Gasoline stored in an approved Underwriters Laboratory container;

(C) Prepackaged retail quantities of fertilizers, pesticides, and auto and home care products only for home use.

(ii) Failure to comply with any of the requirements of this section shall be deemed a violation and shall result in enforcement by civil penalty as set forth in DMMC 18.72.060 and/or civil violation enforcement penalties or abatement procedures as established in chapter 1.28 DMMC. Any person or business who fails to comply with the provisions of this chapter, or allows a violation to continue after receiving written notice of violation from the community development director, shall be deemed to be causing or permitting a public nuisance and shall be liable in an action for abatement filed by the city in superior court.

(h) In reviewing a proposed permitted use, the community development director may include minimal conditions of approval as may be reasonably needed to ensure that the use is consistent with the purpose of the PR zone, and to minimize the likelihood of adverse impacts.

(2) Provisions Applicable to the PR-R Zone.

(a) Parking and loading areas within the PR-R zone are further allowed as follows:

(i) For land uses with more than 20 required off-street parking spaces, a minimum of 70 percent of the total off-street spaces provided shall be located within a parking garage structure.

(ii) Parking spaces not within a parking garage structure shall be subject to maximum lot coverage limitations.

(b) Multifamily recreation area is required in accordance with chapter 18.45 DMMC, except that the minimum area of common recreation space per dwelling unit shall be 50 square feet.

(c) New construction shall conform to applicable Federal Aviation Administration regulations, including Part 77, Federal Aviation Regulations, Objects Affecting Navigable Airspace, as presently constituted or as may be subsequently amended.

(3) Provisions Applicable to the PR-C1 Zone.

(a) Off-street parking not within a parking garage structure shall occupy not more than 35 percent of the building site.

(4) Provisions Applicable to the PR-C1 and PR-C2 Zones.

(a) All uses shall be primarily contained within an enclosed structure except the following:

(i) Outdoor seating and dining;

(ii) Signs;

(iii) Loading areas;

(iv) Motor vehicle fuel pumps;

(v) Retail nursery and garden centers (44422) in the PR-C2 zone;

(vi) Minor and incidental outdoor display area for merchandise sold on site as approved through the design review process;

(vii) Play/recreation areas; and
(viii) Miscellaneous storage when limited to 10 percent of the site area and when perimeter landscaping and fencing is provided as approved through the design review process.

(b) Automobile repair, automobile service stations, and similar uses shall conform to the following limitations and standards:

(i) Automobile repair and the installation of automobile parts and accessories shall be primarily contained within an enclosed structure;

(ii) Unless specifically authorized by the community development director, views into automobile service bays from Pacific Highway South shall be diminished by building orientation, screening, or other means;

(iii) Unless specifically authorized by the public works director, vehicular access shall be limited to one driveway per street frontage;

(iv) Motor vehicle fuel pump islands shall be set back a minimum of 15 feet from property lines;

(v) A six-foot high, 100 percent sight-obscuring fence shall be provided along property lines that abut residential properties as designated by the Greater Des Moines Comprehensive Plan; and

(vi) Vehicle storage shall be limited to those vehicles contracted for repair or service.

(c) Social service facilities shall conform to the following limitations and standards:

(i) Outdoor play/recreation areas for children shall be set back a minimum of five feet from property lines; and

(ii) Unless specifically authorized by the community development director, passenger loading and unloading areas shall be provided on site. [Ord. 1267 § 2(part), 2000.]

18.31.090 Dimensional standards.

(1) Lot Area. Every lot shall have a minimum area of 7,500 square feet.

(2) Lot Width. Every lot shall have a minimum width of 75 feet.

(3) Front Yard.

(a) In the PR-R, every lot shall have a front yard of not less than 15 feet.

(b) In PR-C1 and PR-C2, no front yard is required.

(4) Side Yard.

(a) In PR-R, every lot shall have a side yard on each side of the lot. The side yards shall have a width of not less than 10 feet.

(b) In the PR-C1 and PR-C2 zones, no side yard is required.

(5) Rear Yard. Every lot shall have a rear yard of not less than 15 feet.

(6) Lot Coverage.

(a) PR-R: All main and accessory buildings and structures, except outdoor private swimming pools, shall not cover more than 70 percent of the area of the lot.

(b) PR-C1 and PR-C2: No maximum lot coverage.

(7) Measurement of Building Height.

(a) PR-R: Building height shall be measured from average finish grade.

(b) PR-C1: Building height shall be measured from mean sidewalk grade of Pacific Highway South.

(c) PR-C2: Building height shall be measured from mean sidewalk grade as follows:

(i) Building height for properties abutting Pacific Highway South is measured from Pacific Highway South.

(ii) Building height for properties abutting 24th Avenue South is measured from 24th Avenue South.

(iii) Building height for properties that do not abut Pacific Highway South or 24th Avenue South is measured from South 216th Street.

(8) Minimum Building Height.

(a) Except for buildings containing only a full-service restaurant or a gasoline service station, and other instances specifically authorized by the community development director in writing, no building shall be less than the height specified below:

(i) PR-R: 35 feet.

(ii) PR-C1: 35 feet.

(iii) PR-C2: No minimum building height.

(b) For the purposes of this subsection, minimum building height shall not include decorative towers or appurtenances, roof slopes out of character with the building's architecture, or other contrivances provided solely for achievement of the required minimum building height. In calculating minimum building height, the community development director shall include regular architectural features enclosing functional, occupiable building areas.

(9) Maximum Building Height. Buildings and structures may be built to the height specified:

(a) PR-R: 35 feet. Buildings may be built to a height of 120 feet with approval of a condominium height bonus as provided by this chapter.

(b) PR-C1:

(i) Except as provided by subsection (9)(b)(ii) below, 55 feet.

(ii) In that portion of the PR-C1 zone bounded by Pacific Highway South, 30th Avenue South, South 224th Street, and Kent-Des Moines Road: 85 feet.

(c) PR-C2: 55 feet.

(10) Building Height Limitation Adjacent to Single-Family. When an abutting property is designated single-family residential by the Greater Des Moines Comprehensive Plan, building height shall be limited as follows:

(a) Within 20 feet of the abutting single-family residential property, maximum building height shall be 35 feet.

(b) Within 40 feet of the abutting single-family residential property, maximum building height shall be 45 feet.

(c) During the design review and environmental review, the community development director may impose other conditions of approval in order to mitigate potential height, bulk, and scale impacts upon adjacent single-family residents not sufficiently mitigated by existing regulations.

(11) Condominium Building Height Bonus. In the PR-R zone, the community development director may authorize buildings 36 to 120 feet in height when a condominium declaration which satisfies chapter 64.34 RCW is recorded for all dwellings within the building.

(12) Placement of Buildings.

(a) Where a building site abuts the public right-of-way of Pacific Highway South, at least

one of the main buildings on the site shall be placed as follows:

(i) Except as provided below, the building shall abut, or be in close proximity to, the public right-of-way of Pacific Highway South.

(ii) Through the permit review process, the community development director may determine it is in the public interest to allow the proposed building to be set back from the right-of-way. In considering a request for setback, the director shall consider matters such as adopted land use policies, vehicular and pedestrian circulation, sight distances, landscaping, existing site improvements, adjacent site improvements, easements or other encumbrances, and public benefit features such as plazas and public artwork.

(b) The distance between a building containing dwelling units and any other building shall be not less than 10 feet.

(c) On the rear third of an interior lot, accessory buildings not containing dwellings may be built to the side lot lines and the rear lot line; provided, not less than 10 feet of the rear lot line shall be free and clear of buildings.

(d) On the rear third of a corner lot:

(i) Accessory buildings not containing dwellings may be built to the interior side lot line and the rear lot line.

(ii) Where a setback from the street is required for the adjoining lot, no building shall be erected closer than 10 feet to the street side lot line.

(e) On the rear third of a reverse corner lot:

(i) Accessory buildings not containing dwellings may be built to the interior side lot line.

(ii) Where a setback from the street is required for the adjoining lot, no building shall be erected closer than 10 feet to the street side lot line.

(iii) No building shall be erected closer than five feet to the rear lot line. [Ord. 1267 § 2(part), 2000.]

18.31.100 General site design requirements.

(1) Design Guidelines. Design guidelines shall be adopted for new construction within Pacific Ridge. All development proposals shall demonstrate substantial compliance, as determined by the community development director, with the adopted Pacific Ridge design guidelines. The guidelines shall provide objectives and techniques for ensuring that new construction provides lasting benefit to the community; minimizes incompatibility among land uses; and promotes crime prevention. Design guidelines shall address site design issues including, but not limited to, the following:

- (a) Placement and orientation of buildings and building entrances;
- (b) Vehicular access, parking, and circulation;
- (c) Pedestrian orientation and access;
- (d) Orientation to transit;
- (e) Placement and screening of service and loading areas;
- (f) Landscaping;
- (g) Freestanding signage;
- (h) Screening of parking and other site features;

- (i) Placement and design of open space;
- (j) Crime prevention; and
- (k) Exterior lighting. [Ord. 1267 § 2(part), 2000.]

18.31.110 General building design requirements.

(1) Design Guidelines. Design guidelines shall be adopted for new construction within Pacific Ridge. All development proposals shall demonstrate substantial compliance, as determined by the community development director, with the adopted Pacific Ridge design guidelines. The guidelines shall provide objectives and techniques for ensuring that new construction provides lasting benefit to the community; minimizes incompatibility among land uses; and promotes crime prevention. Design guidelines shall address building design issues including, but not limited to, the following:

- (a) Building height, bulk, and scale;
- (b) Building modulation and fenestration;
- (c) Building silhouette and roof design;
- (d) Placement and orientation of building entrances, common areas, activity areas, balconies, and other features;
- (e) Exterior building materials;
- (f) Window and door detailing;
- (g) Continuity/variety in building design;
- (h) Orientation to transit;
- (i) Wall signage;
- (j) Crime prevention;
- (k) Awnings, covered walkways, and other weather protection; and
- (l) Placement and screening of mechanical equipment.

(2) Minimum floor-to-ceiling height for dwellings. Dwellings shall have a minimum floor-to-ceiling height of eight feet, six inches.

(3) The width of the building above the third-level floor shall not exceed 80 percent of the width of the building at street level.

(4) Within the PR-C1 and PR-C2 zones, structural encroachments into the right-of-way, such as cornices, signs, eaves, sills, awnings, bay windows, balconies, facade treatment, marquees, etc., shall conform to the provisions set forth by Title 12 DMMC, the Uniform Building Code, and the following provisions:

(a) Structural encroachments into the right-of-way shall be capable of being removed without impact upon the structural integrity of the primary building;

(b) Structural encroachments into the right-of-way shall not result in additional building floor area than would otherwise be allowed;

(c) Except for awnings, signs, and marquees, the maximum horizontal encroachment into the right-of-way shall be two feet;

(d) The maximum horizontal encroachment in the right-of-way by signs shall be four feet;

(e) The maximum horizontal encroachment in the right-of-way by awnings and marquees shall be six feet;

(f) The minimum horizontal distance between the structural encroachment and the

curbline shall be two feet;

(g) Except for awnings over the public sidewalk which may be continuous, the maximum length of each balcony, bay window, or similar feature that encroaches the right-of-way shall be 12 feet;

(h) Structural encroachments into the right-of-way shall maintain adequate distance away from utility, transportation, or other facilities as determined by the community development director in consultation with the public works director;

(i) The applicant shall demonstrate proof of public liability insurance and consent to a public place indemnity agreement;

(j) Owners of structural encroachments into the right-of-way must clear the public right-of-way when ordered to do so by city authorities for reasons of public health or safety; and

(k) In reviewing a proposed structural encroachment into the public right-of-way, the community development director may include conditions as may be reasonably needed to ensure that the structure is consistent with the purpose of the PR zone, and to minimize the likelihood of adverse impacts. The community development director shall deny the request if it is determined that adverse impacts cannot be mitigated satisfactorily. [Ord. 1267 § 2(part), 2000.]

CHAPTER 11: PACIFIC RIDGE ELEMENT

11-01 GOALS

11-01-01 The City of Des Moines intends to transform Pacific Ridge into a new urban community that takes advantage of its geographic location, local and regional transportation linkages, stable soils, and view potential. The transformation of Pacific Ridge will include replacement of lower-scale, existing buildings with new structures that will dramatically enhance the appearance, character, economics, and safety of the area. Pacific Ridge will contain buildings and open spaces designed for pedestrians as well as the motorist. Pacific Ridge will be an area of businesses and residences. New buildings may be five to eight stories in height along Pacific Highway emphasizing retail and office uses. Between the development along Pacific Highway and Interstate 5, buildings may be 8 or more stories in height emphasizing residential high-rise home ownership with green open spaces and view corridors. This new community will exhibit superior design features that make Pacific Ridge inviting to residents and businesses, complement other areas of Des Moines, and foster community pride.

11-02 BACKGROUND AND CONTEXT

11-02-01 The Pacific Ridge area is located along Pacific Highway South and between 24th Avenue South to the west, Interstate 5 to the east, South 212th Street to the north, and Kent-Des Moines Road to the south (see Figure 2-7 within the Land Use Element). Nearby regional transportation facilities (existing and planned) provide excellent access to the area. Pacific Ridge's topography and elevation provide excellent opportunities for views of Mount Rainier, Puget Sound, and the Olympic Mountains.

11-02-02 Extensive roadway improvements have been completed for this portion of Pacific Highway South. These improvements represent considerable public investment in the area's infrastructure and will improve traffic flow/capacity and vehicular/pedestrian safety, and will significantly enhance the appearance of this area.

11-02-03 Many Pacific Ridge properties are not improved to the extent presently allowed by the City of Des Moines Comprehensive Plan and the Zoning Code. Many properties are improved with older buildings and are likely to be redeveloped in the near future.

11-02-04 Due to its location and proximity to several major transportation linkages, age of buildings, other social and economic factors, Pacific Ridge represents an opportunity to increase density without the adverse impacts that may occur elsewhere in the City.

11-03 POLICIES

11-03-01 For commercial properties south of South 216th Street, encourage retail and employment uses, but also allow dwellings over street-level commercial uses (mixed use) in this area. Allow multifamily development (with minor and incidental commercial uses) on properties south of South 216th Street that do not front upon Pacific Highway South. Allow for limited townhouse development east of 30th Avenue with Council approval. Do not allow residential uses north of South 216th Street.

11-03-02 Encourage developers to take advantage of increased building heights in this neighborhood to enhance land value, promote redevelopment, expand view opportunities, and to accommodate household growth targets specified by the Countywide Planning Policies for King County.

11-03-03 Encourage land uses that promote long-term residency and activity during both daytime and nighttime hours, such as mixed-use buildings and condominium dwellings.

11-03-04 Ensure new development includes mitigation measures to offset adverse impacts to the natural and built environment that would otherwise occur. Ensure that new construction does not result in undue adverse impacts upon nearby land uses, and that infrastructure and municipal services are available to serve new land uses.

11-03-05 Encourage new construction to mitigate adverse impacts relating to displacement of affordable housing. Encourage homeownership, and affordable homeownership, within Pacific Ridge.

11-03-06 Ensure that development requirements, land use review procedures, and mitigation measures do not unnecessarily hinder redevelopment. Utilize innovative land use review techniques/procedures to minimize timeframes and uncertainty during permit review. Examples of such techniques/procedures include: streamlined environmental review; optional DNS; impact fees, etc.

11-03-07 Promote redevelopment of Pacific Ridge properties to attract new or expanded businesses and commercial development to Pacific Ridge.

11-03-08 Ensure that public and private development continues the pedestrian-friendly environment envisioned by the Pacific Highway South Roadway Improvement Project. Ensure compliance with the state Barrier-Free Regulations.

11-03-09 Expand recreational opportunities in or near Pacific Ridge.

11-03-10 Encourage use of alternative modes of transportation, including walking, bicycling, carpooling, and mass transit. Ensure that the light rail corridor is located along Interstate 5 rather than along Pacific Highway South. Coordinate City-sponsored transportation improvements via the Comprehensive Transportation Plan and the Capital Improvement Program.

11-03-11 Promote a pedestrian-friendly sidewalk environment throughout Pacific Ridge. The sidewalk environment may include storefronts near the sidewalk, consolidated and/or shared vehicular access, public open space, attractive landscaping, and integrated signs and lighting. Promote safe and direct pedestrian access between Pacific Highway South and nearby properties.

11-03-12 Ensure that off-street parking regulations reflect anticipated future demand. Require off-street guest parking for multifamily developments. Continue to allow shared and off-site parking when no adverse parking impacts will result. Ensure that off-site parking is available at the time new uses are authorized.

11-03-13 Encourage the development and use of gateway features, focal points, and unique design features that contribute to the identity of Des Moines and Pacific Ridge.

11-03-14 Require that new construction contain and exhibit high-quality design elements and building materials as outlined by the Pacific Ridge Design Guidelines.

11-03-15 Enhance personal and property safety through development regulation, including use of crime prevention through environmental design (CPTED) guidelines or regulations.

11-03-16 Encourage new construction to incorporate design elements that provide view corridors, visual interest, pedestrian scale, and features which minimize impacts associated with building height, bulk, and scale. Require the terracing of upper floors of buildings.

11-03-17 Encourage new development to include public benefit features such as plazas and courtyards with outdoor seating, hill-climbs, overhead weather protection, public art, etc.

11-04 **STRATEGIES**

11-04-01 Amend the Des Moines Municipal Code (DMMC) and the City of Des Moines Comprehensive Plan as necessary to maintain consistency with and implement this Element.

11-04-02 Encourage land assemblage (lot consolidation) so that larger-scale development proposals can be considered, and to minimize instances where "hold-out" properties do not contribute to the emerging character of the area. When new construction is proposed, encourage or require that internal property lines within building sites be removed. Discourage further division of parcels when such proposals are inconsistent with Pacific Ridge policies and/or regulations.

11-04-03 Do not allow the establishment of new land uses that are inconsistent and/or incompatible with this Element, such as: automobile towing, commercial parking lots, automobile sales, car washes, and drive-through facilities. Allow a limited number of gasoline stations, automobile repair uses, and retail tire sales. Allow the existing automobile towing facility at 21841 Pacific Highway South to expand, subject to a conditional use permit, if the proposal incorporates mitigation measures including without limitation those designed to offset potential adverse impacts involving aesthetics, noise, light and glare, air quality, water quality, and soil contamination.

11-04-04 Encourage or require that new development include mitigation measures relating to displacement of affordable housing. Encourage new residential development to offer owner-occupied dwellings.

11-04-05 Encourage or require use of shared driveways in order to minimize the number of locations where the sidewalk is interrupted by vehicular traffic. Ensure that land use policies and regulations are consistent with the controlled-access requirements of the Washington State Department of Transportation (WSDOT).

11-04-06 Encourage transit service to Pacific Ridge, such as nearby park-and-ride lots, direct bus service to light and heavy rail transit stops, bicycle corridors, to and from transit nodes, etc.

11-04-07 Designate the west margin of Interstate 5 as the light rail corridor through Pacific Ridge. Plan for a light rail transit stop at or near Kent-Des Moines Road.

11-04-08 Ensure that street trees are planted throughout the Pacific Ridge.

11-04-09 Extend Midway Park to the east, and to the west to Pacific Highway South. Provide pedestrian connections between Midway Park, Pacific Highway South, and the Steven J. Underwood Park complex.

11-04-10 Align City and outside resources, including in-lieu multifamily recreation fees, to improve and/or expand recreation opportunities and open space in and near Pacific Ridge. Examples of potential improvements include: 1) enlarging Midway Park; 2) improving the Sports Park complex adjacent to Pacific Ridge; and 3) improving pedestrian connections between these facilities.

11-04-11 Require that the comprehensive plans and capital improvement plans of the special purpose districts that serve Pacific Ridge reflect the build-out conditions specified by this Element and all implementing policies/regulations.

11-04-12 Coordinate with other agencies/organizations to: 1) attract new businesses in Pacific Ridge; 2) promote development and redevelopment opportunities in Pacific Ridge; and 3) encourage new construction that is consistent with this Element.

Introduction

The city of Des Moines faces some unique challenges, but also has unique opportunities when crafting an economic development strategy.

The elements that typically drive the economic engine in a community, namely employment and retail sales, are largely absent in Des Moines. When grouped with the four surrounding communities, Des Moines has 11% of the total population, but only 5% of the employment and 3.8% of the retail sales for the area. Because of land constraints, there is very little land available for new commercial or industrial development, so it would be almost impossible to bring the employment and commercial elements up to typical municipal levels.

At the same time, it is a community with a wealth of physical benefits. It has excellent highway connections on the east edge of town, and a prime waterfront along the west edge, with countless view properties in between. It is blessed with two wonderful waterfront parks, Saltwater State Park and Beach Park, and has the only public marina between Seattle and Tacoma. The city has a traditional "main street" in Marine View Drive, surrounded by waterfront condominiums and desirable single-family neighborhoods. These are the basic building blocks that most communities would love to start with.

But Des Moines has not taken advantage of these assets. For many years, the city's energies were diverted by the controversial third runway at Seatac Airport, and in recent years, tax initiatives and economic difficulties at the State level have reduced funding to all Washington cities. Without a strong local tax base, balancing the budget is an annual problem. As a result, the city has not had the focus or the resources to improve itself.

This economic development strategy is intended to redress this history. It articulates goals and identifies programs that can both create jobs and generate sales, and it suggests ways to maximize the benefit of the resources and natural advantages the city enjoys.

The Basic Strategy

The economic development strategy has three basic elements: 1) to encourage retail and industrial development, so that the tax base is as strong as possible; 2) to use some of the new tax revenues to fund projects that improve the community resources – the parks, the waterfront and the main street, and 3) to encourage both single-family and higher density residential development as we create a more desirable community.

In this report, each of the three strategic components is first expressed as a community objective that can be discussed and endorsed by the City Council. The statement is followed by a description of the program goals and the program elements consisting of policies, initiatives, potential zoning changes and suggested tasks. These goals and policies are intended to provoke thought and amplification by city staff and Council members. It is not our intention that these statements should be transferred wholesale into formal policy documents, but moreover, given the nature of some of the recommendations it is unlikely that they would be adopted without change.

The three economic development objectives are stated as follows:

Objective 1: Improve the *livability and image* of the City of Des Moines by creating a vibrant “main street” on Marine View Drive, and a pleasant and viable community waterfront through the marina and in Beach Park.

This objective discusses the issues and opportunities facing Marine View Drive, the Marina and Beach Park and recommends programs, initiatives and tasks that could be implemented to achieve an exciting waterfront community.

Objective 2: Encourage *commercial development* and *industrial job creation* as a means to provide municipal revenues to support the livability projects.

This section makes recommendations regarding Marine View Drive commercial development, commercial development in Pacific Ridge, and programs for the Business Park district.

Objective 3: Encourage *residential development* to stimulate single-family home ownership and support a vibrant downtown community.

This third section discusses Pacific Ridge residential programs, downtown residential programs, and development in the single-family neighborhoods.

While budgeting decisions are outside our purview, we believe the revenue creation tools must come first, therefore a strong emphasis is placed on zoning changes that will encourage immediate residential, industrial and commercial

development. These recommendations may be more generous to the development community than some in the city might prefer, but without private investment in Des Moines, there will never be any funding available for the kinds of programs that can truly change the character and image of the community, and satisfy the clear desires of the resident population.

There is some irony in the plan. Many communities do battle with big-box retailers, as they feel they practice poor social values and rob business from the small local retailers. We will not comment on the social value question, and there are very few retailers within the Des Moines city limits from whom to rob business. The downtown core does not have an extensive line-up of established retailers. In Des Moines, there is an opportunity instead to use the tax revenues from these big-box retailers to strengthen the very community features that they are often accused of destroying. The retail sales tax revenues (or some portion thereof) can be earmarked for downtown revitalization and improvements to the waterfront, to strengthen rather than erode the community's commercial core.

The three programs reinforce one another. Improved community assets attract new residents and increase property values. Greater home ownership and higher incomes stimulate community pride and involvement, reduce crime and provide the customers for the more numerous retail businesses and main street restaurants. The businesses in turn provide the tax base for further community investment. It is a simplistic model, but because of the current conditions and opportunities, Des Moines can make significant progress on each of these three elements.

Objective 1: Improve the livability and image of the City of Des Moines by creating a vibrant "main street" on Marine View Drive, and a pleasant and viable community waterfront through the marina and in Beach Park.

A. Marine View Drive Programs

1. Program Goals

- Attract small, locally-owned businesses to the downtown providing a range of goods and services for the local community. In terms of land use character, national and regional retailers that serve a larger trade area should be encouraged to locate on Pacific Highway, while the unique and eclectic businesses should find a home on Marine View Drive.

- Create a diverse architectural character along the street, combining new development with the renovation of existing buildings, and allowing for a mix of building styles, parking configurations and signage types.
- Encourage business and property owner participation by establishing clear roles for both the Chamber of Commerce and the Business Boosters. Encourage more open and direct communication the City organization, property and business owners and the affected public.
- Concentrate retail and service businesses along Marine View Drive, even if it results in fewer commercial businesses along 7th Ave. Make Marine View Drive as strong as possible as a retail main street.
- Connect the waterfront and Marine View Drive areas by coordinating activities and special events, by improving physical connections and by cross-promoting the two distinct areas.
- Change the public image of Des Moines from Pacific Highway to Marine View Drive and the waterfront .

2. Program Elements

a) Policy

To support community organizations in marketing and promoting downtown activities and business patronage.

To facilitate the permitting process and provide fair and constructive project reviews and inspections.

To promote public safety and a welcoming environment in the downtown.

b) Initiatives

Improve the project review and permitting environment. Assign a planner/permit specialist as the lead City contact for Marine View Drive development. Establish permit processing time limits

and goals. Create or strengthen customer feedback process to flag problematic issues or decisions. Appoint an ombudsman or schedule regular developer "gripe" sessions. (Economic Development Matrix item 1.1)

Develop a Marine View Drive pedestrian enhancement program. Identify program elements such as replacing cobra head lighting with pedestrian-oriented sidewalk lighting, providing small pocket parks and benches, weather protection, improved crosswalks and other features. (EDM 1.2)

Identify potential public and private "gathering place" opportunities. Select one or two of them and apply the program elements described above to improve the space. Cooperate with private building owners by granting sidewalk permits, allowing outside seating, providing city bike racks, funding awnings or canopies, limbing trees for better views or other simple improvements to encourage socialized loitering. (EDM 1.3)

Create a building enhancement program. Identify properties that would benefit from storefront, signage or façade improvements. Identify derelict properties that should be renovated rather than torn down. Devise a mechanism for identifying, scoring and allocating funding for these projects. (EDM 1.4)

Identify funding sources for downtown initiatives. Funding could come from the city's General Fund, be earmarked from increases in retail sales taxes, be funded through a local Business Improvement District, or be funded through State and Federal "Main Street" and urban development programs. (EDM 1.5)

Selectively provide municipal parking areas to support the retail district. Reduce the economic impediments to property development by solving the parking problem ahead of time. (EDM 1.6)

Work with the Chamber of Commerce and Business Boosters. Collaborate on the



development of common goals and distinct priorities for each organization. Help establish a focused program for each organization. Determine the appropriate roles for the City in supporting the programs for each organization. (EDM 1.7)

Support a clear program of downtown marketing and special events. Provide leadership to the community and the civic organizations in identifying, refining, building and funding a small number of annual special events. (EDM 1.8)

Focus on blighted and abandoned properties. Create penalties and incentives for property clean-up. Consider a notification system and maintenance standards. Clean and lien non-responsive properties. (EDM 1.9)

c) Tasks

Complete a property inventory and review for the six-block Marine View Drive district. Consider including the KDM/8th Avenue intersection. Base maps, photographs and a preliminary inventory have been prepared and are attached in the report appendices. Use these materials as a discussion tool for public involvement as well as staff review. Look for blighted properties, renovation or redevelopment candidates, community parking sites, parcel anomalies and special conditions. Use this inventory to identify two or three priority parcels, then find specific actions to advance these projects. (EDM 1.10)

Invite significant property owners to meet with the City Manager on some systematic basis. Start with John White, Scott Andrews, Mark Stegin and King Yee. Find out what they want to do. (EDM 1.11)

Using the Parcel inventory, conduct a block by block parking count. Identify the parking shortfalls and surpluses. Using Highline Community College students conducting field checks, measure parking utilization in private lots. Identify possible parcels for



municipal parking lots or sharing opportunities for existing under-utilized parking lots. (New mixed-use developments cannot afford the cost of providing parking at current code requirements. Creative parking solutions will be necessary if new development is desired.) (EDM 1.12)

Study the north and south gateways into the downtown core, particularly the KDM and 8th Ave intersection. The yacht club boat storage and auto repair facilities reflect poorly on the downtown, and some creative visionary thinking might be helpful. Longer term, you might consider relocating all boat storage out of the downtown area: as long as it is permitted, the revenues from boat storage will dictate the highest and best use for some of these properties. (EDM 1.13)

Celebrate downtown revitalization with annual Mayor's awards. (EDM 1.14)

Hold developer breakfasts or regularly scheduled open meeting times for property owners and developers to meet casually with the city planners and permit specialists. Take away their excuses and help them develop their properties. (EDM 1.15)

d) Zoning Changes

Revise permitted land uses. Review the permitted and prohibited uses for Pacific Ridge C1 compared to the downtown. Many of the uses should be reversed, to encourage neighborhood-oriented businesses on Marine View Drive, and more regional uses on Pacific Highway. (EDM 1.16)

Eliminate the requirement that signs and buildings should have a "contemporary northwest nautical" character. The downtown district should have a unique set of design codes and building standards not replicated elsewhere. (EDM 1.17)

Reduce the mixed-use building parking requirements. Either reduce the residential parking from 2.2/unit to below 1.5/unit, or allow for shared parking between residential and commercial uses, or eliminate the commercial parking requirements altogether, or some combination of the above. Allow parking to be accommodated offsite. (EDM 1.18)

Consider eliminating the third floor building setback. The small building envelope already makes development difficult. (EDM 1.19)

Consider disincentives for surface boat storage within a defined area downtown. (EDM 1.20)

B. Waterfront Programs – Marina and Beach Park

1. Program Goals

- To derive the maximum community benefits from the city's waterfront resource, in terms of community access and enjoyment, marina revenues and commercial opportunities.
- To preserve and restore the historic character of Beach Park, while upgrading the facilities as a venue for community events and functions.
- To make prudent long-term investment in the marina and the park, balancing the varied needs of the community.
- To integrate the marina and park areas into one seamless waterfront district.
- To promote the waterfront district as a unique asset of Des Moines, and to create a positive community image from the successful execution of the waterfront master plan.
- To provide a wide range of settings and experiences in the waterfront district, including providing a continuous waterfront promenade.

- To connect the waterfront to other districts in the city at the north and south ends, as well as at the west end of the major streets through downtown.
- To develop new "customers" arriving through the waterfront gateway, either by passenger ferry or as visiting boaters, and to provide an attractive facility and a pleasant experience for these visitors.
- (The Marina Master Plan will continue to exist, with its own priorities for service levels and priorities, investment and revenue projections.)
- (Similarly, the Beach Park redevelopment plan will continue to evolve and will exist as a separate document.)

2. Program Elements

a) Policy

Because the marina and Beach Park are each within the jurisdiction of a responsible city department, we are reluctant to suggest specific policies for these areas. Our comments should instead be taken in the context of the greater Economic Development strategy, and not as a commentary on the existing departments.

Having said that, the scale of waterfront improvements that we envision should not fall under a single department, but require the coordination of multiple city departments. A new management structure reflecting this diversity of goals should be considered.

For example, for capital budgeting purposes, marina operations, investment and revenues, including lease revenues, should be segregated from the capital investment decisions regarding the waterfront improvement and beautification plans. The marina should be self-sustaining with respect to boating services, but cannot be expected to shoulder promenade, park and landscape improvements.



b) Initiatives

Consider Beach Park, the marina, Anthony's and the Yacht Club as one integrated waterfront district. Treat it as the community's most valuable resource. Imagine how it might be developed for community benefit if there were no marina, then take these ideas and try to implement them given the existing conditions. (EDM 2.1)

Undertake a critical review and fresh look at the existing marina master plan. Evaluate the plan and its elements in the context of a broader "waterfront" strategy, which serves both boaters and city residents. Review the capital investment priorities in light of both marina revenue potential and non-boating community benefit. (EDM 2.2)

Identify and enhance the strongest public gathering spaces. There is an opportunity at the end of 227th, another by the fishing pier and a third at the Beach Park water's edge. (EDM 2.3)

Initiate discussions with the Yacht Club. Explore the sharing of boat launch facilities. Consider programs that can change the visual character of the south downtown and south waterfront areas. (EDM 2.4)

Consider the Beach Park facilities first as a community resource, and second as a business opportunity. The building complex has charm and utility, but is a difficult business proposition and is unlikely to generate positive net revenues. (EDM 2.5)

c) Tasks

In the marina master plan review, consider the following:

- Conduct a cost/benefit analysis on the seawall relocation to determine whether changing the alignment makes economic sense, and whether the proposed alignment creates an attractive and



- usable upland environment with public benefit features. (EDM 2.6)
- Review the site plan to determine whether the north and south ends of the marina can be better integrated with a simpler plan.
- Rationalize the parking configuration and street alignments.
- Consider moving the dry storage to the east edge of the complex.
- Consider moving the boat repair yard offsite or to the east edge of the complex to open up the middle and the water's edge.
- Consider placing the south park at the water's edge rather than along 6th. Evaluate the potential for a commercial use on the current park site; keep the water side for the public.
- Create a strong boardwalk or promenade, running the full length of the waterfront, including connections into Beach Park. Hold a design competition for gazebos along the promenade, where architect and contractor teams would design and build a covered lookout for some fixed and modest sum (such as \$10,000).
- Consider opening the west ends of the boat sheds to create more visual interest along the proposed boardwalk.

Don't sign any new commercial leases until an updated master plan is prepared. (EDM 2.7)

In Beach Park, focus on the core facilities. As the budget allows, make improvements to the structural integrity of the buildings, the heating, lighting and restrooms. (EDM 2.8)

Find users before making costly improvements; don't redevelop the buildings on spec. Find community organizations that can use the buildings on a regular, long-term basis. Allow the Chamber or other organization to market the facilities for one-time users. Share the resource with the surrounding communities; they are better customers than regional conferences. (EDM 2.9)

Make the stream relocation the highest priority.
Make the outdoors the strongest asset by improving the waterfront environment, upgrading the landscaping and pathways, and improving the traffic flow if possible. A loop for bus drop-off and pick-up would help address the parking deficiency. (EDM 2.10)

d) Zoning Changes

None proposed for this district.

Objective 2: Encourage commercial development and industrial job creation as a means to provide municipal revenues to support the livability projects.

A. Marine View Drive Commercial Development Programs

(Many of the Marine View Drive initiatives were discussed under Objective 1. The programs here are specifically tailored to attract investment monies and new retail tenants.)

1. Program Goals

- To facilitate the rehabilitation and renovation of existing commercial buildings on Marine View Drive, with a priority to encourage the occupancy of vacant or under-utilized spaces.
- Without compromising life safety issues and the building code, to remove obstacles to new development, so that the Stegin property and other vacant parcels can be developed with new buildings.
- To create a permitting environment that is straightforward, predictable and stable.
- To institute permitting and building codes that do not add unnecessary costs to projects, so that property owners can achieve a satisfactory return on their investment while keeping rents as low as possible.



- To demonstrate to property owners and investors that the City is making a true long-term commitment to Marine View Drive revitalization, so that they are more willing to make their own long-term investments.

2. Program Elements

a) Policy

Resolve to retain existing businesses along Marine View Drive, and to address their particular concerns and issues when problems arise.

b) Initiatives

Described in the earlier Marine view Drive section.

c) Tasks

Meet with property owners Mark Stegin and King Yee. Review the conceptual plans and pro forma analysis included in the appendices of this report. Discuss the reasons the properties have not been redeveloped (in Stegin's case) and attempt to bridge the gaps, to the extent they are not market-related.(EDM 1.21)

Write to or meet with QFC. Encourage them to maintain or improve their presence in Des Moines. (EDM 1.22)

Work with local banks and the CRA programs to earmark funds for "main street" businesses. Make sure the local lending community is aware of and in support of your Marine View Drive programs. (EDM 1.23)

d) Zoning Changes

Discussed in earlier Marine View Drive section.

B. Pacific Ridge Commercial Development Programs

1. Program Goals

- To spur development of the Pacific Highway South (PHS) commercial frontage (PR-C1 zone) with highway-related businesses and national retailers serving a broader customer base.
- To facilitate the immediate development of the PR-C2 properties with "big box" national retail stores. Open the new retail stores within three years.
- To turn around a decade of no new projects, through changes to the zoning codes and to the City's objectives for PHS.
- To create land use requirements that are appropriate for office buildings and uses with high employment levels, thus increasing the effective stock of land for office development.
- To enact these changes without reducing the densities allowed under the City's GMA planning.

2. Program Elements

a) Policy

The Pacific Ridge commercial zoning codes are intended to produce a pedestrian-oriented, urban environment to support the Pacific Ridge residential community. This view of the district should be changed, since the residential vision cannot be supported by the current (or future) real estate market.

Commercial uses on Pacific Highway should be auto-oriented, as there is no other commercial land outside of Marine View Drive available for these uses, and it reflects the character of the highway just north and south of the short Des Moines segment.

To make Pacific Highway into the poster child positive image for the City of Des Moines is an almost impossible task. It is better to let the market dictate the improvements in this corridor, and invest City resources and priorities in the downtown and along the waterfront, where a dynamic positive change is possible.

b) Initiatives

Given a modified approach to the district, business and job retention, and existing business expansion, should be given a high priority.

c) Tasks

Changes to the zoning code are the most important task for this component of the plan.

Continuing the effort to work with both Seatac and Kent on annexation or land swaps remains a valid effort, but it is not likely to produce immediate results.

d) Zoning Changes

Use design guidelines rather than the building code to enforce quality design and curb appeal.
An effective design review process allows for flexibility while retaining controls. (EDM 3.1)

Eliminate the 35' minimum height requirement.
This effectively mandates multi-story buildings, and desirable uses are excluded by the requirement. (EDM 3.2)

Increase the permitted surface parking area to at least 50% of the land area. Rents in Des Moines cannot yet support the cost of structured parking, so office buildings cannot be built economically. Elimination of this requirement could actually increase employment in the City. (EDM 3.3)

Allow building setbacks from Pacific Highway for landscaping and parking. An 80' setback would allow for a 10' landscape strip, one double bay of parking, and generous sidewalks around the building. To produce successful retail stores, the building setback should increase as the posted traffic speeds on the roadway increase. (EDM 3.4)

Modify the list of permitted and prohibited uses. The current list prohibits or limits automotive uses, single story retail, fast food and gas stations, but allows them on Marine View Drive. The programs should be reversed. (EDM 3.5)

Reduce the minimum size of permitted hotels. While it may be appropriate to restrict immoral behavior, there are better tools than the zoning code for this purpose. A minimum room count of 80 would accomplish the same social objectives as a 125 room hotel, and might spur some hotel development in the corridor. The conference facility requirement should also be eliminated. Given your location, hotel taxes should be a material component of the City's revenues, and legitimate hotels should be encouraged. (EDM 3.6)

C. Industrial District Programs

1. Program Goals

- Reconcile the prior conflicts with the Port of Seattle, and move forward jointly in a manner that will allow for the immediate development of the Des Moines Creek



industrial properties, in as intense a manner as the current market will allow.

- Practice appropriate levels of environmental stewardship, equivalent to the standards applied elsewhere in the city.

2. Program Elements

a) Policy

To strive for uses that produce a high number of quality jobs, but not to defer development of viable industries in the business park with lower employment densities.

b) Initiatives

Forge a new relationship with the Port of Seattle to pursue mutually-beneficial economic objectives. Agree to goals that balance the objectives of both Port and City. (EDM 3.9) (EDM 3.10)

Support civic and political activities to speed the funding and construction of the 509 freeway extensions. (EDM 3.11)

c) Tasks

Negotiate and execute the Interlocal Agreement, to include the following:

- Agreement on jurisdictional authority.
- A schedule of milestones and timeline for completing critical tasks.
- Agreement on general site plan parameters, including density, height, bulk and property setbacks.
- Identification of permitted uses.
- SEPA review, documentation and approval.
- A street vacation methodology.
- Resolution of park and open space set-aside requirements. (EDM 3.12)

Amend the Business Park zoning codes to allow the agreed-upon uses and site planning parameters. (EDM 3.13)

Review and approve a revised Port master plan. (EDM 3.14)

Amend the Des Moines Creek Technology Park EIS as needed. (EDM 3.15)

d) Zoning Changes

The necessary zoning changes will result from the negotiated interlocal agreement and site planning discussions.

Objective 3: Encourage residential development to stimulate single-family home ownership and support a vibrant downtown community.

Despite its convenient location, natural attributes and favorable housing economics, Des Moines has seen very little new residential development over the past ten years. This appears to be due to a shortage of available residential land, and a zoning code that restricts the housing types that are favored by the current marketplace. A residential market overview, prepared by the O'Connor Consulting Group, is provided in Section 3.

A. Pacific Ridge Residential Programs

The City has invested significantly in the planning and documentation of the Pacific Ridge Neighborhood Plan. Unfortunately, the vision is more ambitious than the market can support, and the effect has been to stifle rather than promote the redevelopment of the district. These plans should not be discarded, instead they should be reviewed and adjusted to the extent that the City wants to move toward more immediate development in the Pacific Ridge district.

1. Program Goals

- Encourage home ownership and new residential construction in the Pacific Ridge neighborhood.



- Create a positive zoning environment for the redevelopment of the large trailer park parcels in the district.
- Achieve the highest residential densities that the market will allow, to accommodate population growth within the city and to reflect the goals established in the King County Growth Management plan.

2. Program Elements

a) Policy

The policies articulated in the Pacific Ridge Neighborhood Plan remain valid.

b) Initiatives

Develop a work plan and public involvement process to review the Pacific Ridge Neighborhood Improvement Plan and adjust the plan to reflect current market realities. (EDM 4.1)

Conduct a developer workshop to solicit recommendations to encourage higher-density, ownership housing. (EDM 4.2)

Continue crime prevention programs and initiatives targeting the transient hotels. (EDM 4.3)

Put in place zoning and building regulations that are market-based, to stimulate investment in the district. (EDM 4.4)

c) Tasks

Debate the appropriate vision for the Pacific Ridge community within City Council. (EDM 4.5)

Consider hiring a housing market consultant to evaluate the market in detail and determine the appropriate housing types, unit sizes and price points for Pacific Ridge and other Des Moines neighborhoods. The study would be at a greater level

of detail than could be performed under this Economic Development scope of work. (EDM 4.6)

d) Zoning Changes

Consider allowing single family home construction in the district. Prohibiting new single-family homes pushes the neighborhood towards rental apartments and does not change the basic character of the neighborhood. (EDM 4.7)

Allow construction of townhouse and medium-density, for-sale housing types in the district. (EDM 4.8)

Reduce the minimum height requirement to 24'. Maintain the maximum height allowance at 120', although it is unlikely that any buildings over 65' will be constructed in the next ten years. (EDM 4.9)

Allow the 120' height to apply to apartments as well as condominiums. (EDM 4.10)

Eliminate the structured parking requirements for buildings with more than ten units. A fairly high landscape requirement or limits on lot coverage can be maintained to discourage large parking lots, or other parking and site design requirements can be imposed. (EDM 4.11)

B. Downtown Residential Programs

1. Program Goals

- To stimulate high-quality, high-density residential development in the downtown, which has easy pedestrian access to the City's two greatest assets - the waterfront and the Marine View Drive.
- To expand the customer base for Marine view Drive businesses, by increasing the population density within walking distance.

- To facilitate high-density housing in a defined area of the City, so that the balance of the community can remain single-family in character while responding to the GMA planning targets.
- To increase densities without creating unfair view blockage beyond that allowed under the current zoning.
- To provide the infrastructure to support significant population increases in the downtown in terms of utilities, transit, public safety and pedestrian environment.

2. Program Elements

a) Policy

Consider the downtown as a pedestrian-oriented environment, applying the urban design elements appropriate for such a neighborhood.

Consolidate commercial activity on Marine View Drive, effectively making Sixth and Seventh Avenues primarily residential in character.

Support upper-story residential uses in mixed-use buildings, particularly on Marine View Drive.

Require that new developments provide sufficient parking within the project, but utilize on-street parking as a resource that is considered in the analysis.

b) Initiatives

Evaluate changes to the zoning and building codes to stimulate residential development. The three areas of greatest potential are to increase permitted building heights, reduce parking requirements and selectively eliminate ground-floor commercial requirements. (EDM 4.14)

Re-think the downtown parking strategies, consider public parking lots for commercial use and on-street parking for residential guests and visitors. (EDM 4.15)

Lobby Metro and Sound Transit for greater public transit service and connections. Improve bus service directly to downtown Seattle and Tacoma or to Sound Transit light rail stations. (EDM 4.16)

To the extent the improvements are not universally adequate, **make the sidewalk environment a high priority.** This includes paving, pedestrian crossings, paving transitions, lighting, amenities such as landscaping, benches and weather protection. (EDM 4.17)

Improve the pedestrian connections between the downtown and the marina floor. Connect downtown to the bike trail and walking trail systems. (EDM 4.18)

Consider finding an alternate location for boat storage facilities outside of the downtown. Change the zoning in the new location to facilitate the move. Work with the Yacht Club and marine services firms to consolidate boat service facilities somewhere practical and convenient, but not on Sixth and Seventh. (EDM 4.19)

c) Tasks

Engage a design firm to undertake a view corridor study of the downtown, to evaluate the impact of potential zoning changes. The work can be done using the "Sketch-up" software program, and should be completed for under \$10,000. See the "Height Study Memorandum" in Section 4. (EDM 4.20)

Study mixed-use economics, using the Yee and Stegin properties as examples. Conceptual plans and financial analysis is attached in Section 6. Work with the property owners to determine whether zoning changes or city incentives might be enough to spur development of these sites. (EDM 4.21)

d) Zoning Changes

Consider changes to the maximum height allowance for downtown buildings. Based on simple view corridor analysis, attached in Section 6, it appears it would be possible to increase building heights by ten feet to 45', in the areas from the mid-block alley between Marine View Drive and Seventh to the mid-block alley between Seventh and Sixth, without intruding into the view blockage areas already permitted. (EDM 4.22)

Consider reducing the parking requirements for multi-family properties from 2.2 per unit to 1.5 or lower. The letter attached in Section 6 reviews parking requirements in other similar jurisdictions. (EDM 4.23)

Eliminate the requirement for ground floor commercial space in buildings fronting on Seventh and Sixth. Allow single purpose residential buildings in this area. Other design criteria to create an attractive ground floor and sidewalk presence might be imposed. (EDM 4.24)

C. Single Family Residential Programs

1. Program Goals

- Allow for higher neighborhood densities without altering the basic single-family character of the residential neighborhoods.
- Create more options for housing types within residential districts.

- Encourage affordable solutions for home ownership options within the community.

2. Program Elements

a) Policy

A residential housing vision and policies should be determined through community discussion and Council debate. This was done for Pacific Ridge; a less formal process could be undertaken for other neighborhoods.

b) Initiatives

Engage in City Council debate and resolve whether additional population in the community is a positive economic benefit for the city. Determine whether the focus should be on retirees, families and/or young professionals, and ensure the housing types that they prefer are available in the community and encouraged by zoning and building regulations.

c) Tasks

Investigate higher-density home ownership project models, such as townhouse developments, clustered housing and cottage housing models. Review special zoning and code provisions that support these building types. Shoreline and Kirkland both have special zoning sections that apply to some of these project types. Talk to developers that specialize in these products. Start with www.cottagecompany.com. (EDM 4.25)

Identify neighborhoods with vacant land, or under-utilized properties such as old rental properties or trailer parks. Target these areas for rezoning to higher residential densities.



Evaluate accessory dwelling units as part of this broader residential analysis. (EDM 4.26)

d) Zoning Changes

Rezone some residential areas to zoning that allows for between eight to ten units per acre. (EDM 4.27)

Specifically allow townhouse and cottage housing development within these districts. Write new code to regulate these building types. (EDM 4.28)

MEMORANDUM

TO: Des Moines City Council, City Staff.

FROM: Darrell Vange, Ravenhurst Development, Inc

SUBJECT: Economic Development Core Decisions Memo

After three months of meetings, interviews and research, we are near the end of the economic development strategy project. The consultants have identified the basic opportunities and the impediments to development and are preparing to present a final report in March.

Since it is important that the City Council guide the strategic plan, we want to review the key findings and opportunities with Council before preparing the final report, and request Council direction regarding some key elements of the plan. As we see it, there are five core decisions the Council must make in order to finalize a clear economic development strategy.

- First, based on our market assessment of the past success and future potential of the Pacific Ridge neighborhood, should the Council keep the current vision for Pacific Ridge or revise the program to encourage more immediate development?
- Second, does the city wants to promote stronger residential development throughout the city, and if so, in what areas and with what residential product types?
- Third, Marine View Drive is slowly changing in a positive way. There is an opportunity to foster the kind of main street that many have requested. The question the Council must address is: "Is development along Marine View Drive a major City priority? Is the City prepared to invest public monies and staff resources in its growth?
- Fourth, the marina, waterfront and Beach Park set Des Moines apart from other South Sound communities. The city can establish a strong regional identity in the way it develops these assets. The question for Council: Is this area principally a resource for boaters or is it an asset for the entire community? Is the City prepared to invest public monies and staff resources to further develop this resource?
- Finally, Des Moines has very little industrially-zoned land, and the Port buyout properties are about to be graded for development. There is a range of views

within the Council on the ideal development for this area, and these differences should be resolved.

By addressing these five issues, the Council can give the consultant team the guidance necessary for us to complete the economic development strategy, and to provide an implementation plan and set of tasks that matches the vision and objectives of the Council.

The Future of Pacific Ridge

The Pacific Ridge Neighborhood Improvement Plan, adopted in 2000, was designed to encourage new development through greater height allowances, and to discourage certain land uses through zoning changes and use restrictions. The vision was to create a vibrant, high-density residential and business community, which would provide the capacity to fulfill the city's long-range GMA housing and employment targets while lifting the neighborhood out of absentee ownership, transient housing and high crime rates. The character of future Pacific Highway development was changed, in order to be complementary to the new neighborhood.

The planners at the time reported that the proposed redevelopment vision was not consistent with current real estate demand, and this opinion was repeated by Kidder Mathews when they reviewed the Vision Plan in August of 2004. Both projected that it may be 20 years before the market will catch up with the vision, with a strong possibility that they may never match. Based on our analysis, this condition remains true in 2005. There is virtually no demand for the product types allowed in the Pacific Ridge plans.

Since the new zoning was adopted in 2000, the City has received no building permit applications for residential projects in Pacific Ridge, and only one application for a commercial project along Pacific Highway, namely Walgreens. In fairness, low interest rates over this period have stifled apartment development throughout the region, but home, condo and commercial development have been booming during this period.

Residential Development

The lack of residential building applications could be due to a number of factors. It may be that the perceived crime rate is deterring development. It may be that property owners are speculating on high land prices because of the higher densities allowed. It is certainly due to the fact that project types that are economically viable are not allowed under the current zoning, and the profile of projects that are allowed are not financially feasible. The residential zoning for Pacific Ridge prohibits single-family development, requires apartment developments to be exactly 35 feet tall (a glitch that is easily rectified), and

requires structured parking for all projects of more than nine units, at a rate of 2.2 parking spaces per unit (slightly less for one-bedroom units).

Condominium buildings in Pacific Ridge can be 120 feet tall, but the cost of this product is far greater than the likely selling price, and there are many more attractive markets closer to the urban centers. 120 feet is an odd choice, since building codes and construction economics conspire to allow cost-effective wood-frame buildings up to 5 stories, and require concrete or steel above that height. But concrete and/or steel buildings are generally not feasible until they reach at least 15-18 stories, so unless the height allowance is 180 feet, it is unlikely there will be buildings higher than about 65 feet in the neighborhood.

The ideal Pacific Ridge residential product from a market standpoint would be fee-simple townhouses. These require sites of at least two acres, and a typical project has between 15 and 30 units. Reading the zoning codes, it does not appear that these are prohibited in Pacific Ridge, but the height and parking requirements make the projects more difficult.

The only condominium development in Des Moines over the next ten years is likely to be waterfront and water view properties close to downtown. Without special amenities like the waterfront, most buyers will opt for a single-family home, which they can buy in Des Moines for comparable prices. The regional condominium market is better the closer you are to downtown Seattle, and the areas of King County most likely to see condominium development over the next ten years are the North Seattle neighborhoods, the eastern edges of Kirkland and Bellevue, and the eastside communities between Bellevue and Renton. We do not expect to see significant condominium development in other areas, unless the sites are on the waterfront.

Commercial Development

The commercial zoning along Pacific Highway was changed in the Pacific Ridge plan, with new use restrictions and building constraints. It appears that the premise was that the new urban, sophisticated residents of the better quality developments in Pacific Ridge would not want to be near a highway with gas stations and fast food joints.

So in the PR-C1 zone, new gas stations (beyond one), auto repair shops, fast food with drive-throughs, mini-storage and hotels under 125 rooms are no longer allowed. Commercial buildings are to be sited at the edge of the sidewalk, there is a minimum 35' building height, and no more than 35% of the site can be used for surface parking.

As is the case with the Pacific Ridge residential standards, it is not economically viable to develop buildings that can meet these standards. The 35' height

requirement either means multi-story buildings or a lot of wasted volume, and the restriction on lot coverage effectively mandates structured parking. Neither retail nor office users can support the cost of structured parking outside of downtown Seattle and Class A office markets.

A lot of research has been done nationally that relates the travel speed along major streets with the optimal building configurations and setbacks for commercial businesses. The higher the speeds, the greater the setback and the larger the signage, in order for commercial businesses to be noticed. The new improvements to Pacific Highway are intended in part to slow down traffic along the highway, but the pedestrian-oriented building requirements are only effective for street environments with speeds below 35 miles per hour. It is unlikely that WSDOT will allow the average speeds on Pacific Highway to be reduced to the levels that make for a pleasant pedestrian environment.

In the PR-C2 zone (Furney and Ono), the standards are appropriate for large-scale retail development and do not need any changes in order to spur activity.

Pacific Ridge Choices

The Pacific Ridge vision was the result of years of planning and community meetings, and it represents the ideal version of a prosperous urban neighborhood in twenty years time. In the meantime, however, those ideal standards act as an impediment to development today.

From an economic development perspective, zoning and development standards should be appropriate for the current marketplace and flexible enough to be applicable for the next ten years or so. Real estate markets change over time, and it would not be unreasonable to review and update the codes once a decade.

The Council has two options for the Pacific Ridge community. It can retain the current development standards, and patiently wait for the market demand to catch up with the vision, which may never happen, or it can selectively modify some of the standards so that new development can help transform the neighborhood today. Philosophically, the question is whether it is better to protect the opportunity for a great project to occur in the future, or to let a less-optimal project be developed now instead.

If the development standards are left unchanged, the most likely apartment development model will be an eight-unit building with two stories of flats over a ground floor of individual garages, which may conflict with the spirit of the design guidelines but do not appear to violate the language of the guidelines. This is not unlike the fourplex apartments that are typical in the neighborhood already, and it does not improve the ratio of home ownership or create a vibrant community.

If some of the standards are changed, townhouse condominiums may be immediately feasible, subject to land availability and neighborhood perception. Larger-scale apartment projects may be feasible once the apartment market recovers over the next five years. High-rise condo development remains far in the future.

On the commercial side, the PR-C2 parcels can develop without changes to the codes. The PR-C1 parcels may see a few smaller, multi-tenant office buildings over the next five years, but restaurant and retail development will be extremely difficult. The most feasible uses are all those uses that have been prohibited.

Potential Code Changes

We will provide a detailed review of the code provisions and specific recommendations after the Council decides which development path to follow, but some of the possibilities for change are listed below.

Residential Code Provisions

- ☐ Correct maximum/minimum height provisions. Increase maximum to 65'; reduce minimum to 25'.
- ☐ Allow for single -family townhome and clustered housing projects using binding site plans or PUDs.
- ☐ Increase commercial areas on ground floor.
- ☐ Clarify "structured parking" definitions.
- ☐ Relax structured parking requirements. Reduce per-unit requirements.

Commercial Code Provisions

- ☐ Reconsider 35' minimum height.
- ☐ Allow building setbacks and more surface parking.
- ☐ Lower hotel room minimums to 80.
- ☐ Review the permitted and prohibited uses.

We would not reduce maximum height allowances. Some day, these will be attractive for development.

The Future of City-wide Residential Development

One of the basic conclusions from the consulting team is that the marketplace would support more residential development within Des Moines if there were land available and appropriate zoning to support it. There is very little vacant or available residential land in the City, and except for rare projects like Landmark of the Sound, it will be difficult for the city to sustain the current but modest pace of 50-60 new homes per year.

Residential development, especially in the cases of home ownership or higher density downtown projects, is generally considered to be a positive component of economic development. Homeowners take pride in their neighborhood and community, and they spend their discretionary dollars at local stores and restaurants. Downtown apartment dwellers add to the customer base within walking distance of Marine View Drive shops, and bring 24 hour activity to the downtown streets.

Nevertheless, changing the residential character of a community is often a contentious topic, and the appropriate concern of a city council. So before we make specific recommendations about higher densities, the subject should be discussed by Council, and direction given to the planning team.

We have identified three areas of residential potential within the Des Moines community. The first is demand for single-family attached housing in residential neighborhoods. This can be seen in virtually all of the close-in suburban areas of King County, and represents the compromise between achieving higher densities in established communities while retaining the single-family character. Projects such as Brentwood and Cedarbrook are current examples of this kind of development. Projects like this are typically done on land with R-7200 zoning, and there is very little available. Current demand could support one or two projects a year of 20 to 40 units each, continuing for as long as five years. If the council is interested in seeing more of this kind of product in Des Moines, we can make some specific recommendations in the final report.

The second opportunity is for higher-density apartments and condominiums in the downtown area. There is little demand for apartments in King County today because of significant over-supply, but this will change over the next five years, especially as interest rate increases make home mortgages more expensive. The area between Marine View Drive and the marina is well-suited to this kind of development, but current zoning requirements make potential projects infeasible. If the city wants to encourage higher density development in this district, it should consider three changes to the current downtown codes. The building height maximum could be increased above the current 35 feet; the parking requirements of 2.2 spaces per unit could be reduced, and the requirement for commercial ground floor space could be eliminated for all blocks except those fronting on Marine View Drive.

The most controversial issue would be the change in height. We are currently studying the view corridors in the area, and hope to demonstrate that ten or fifteen feet could be added to the allowable heights on most of the properties fronting on 7th Avenue without creating any additional view blockage for the residences to the east, beyond that already allowed under the current zoning. If

this proves to be false, we will withdraw the suggestion, but without the additional height, it will be difficult to develop economically-viable apartments in this district.

The third area of market demand is the perpetual desire for water-view condos. It is not clear exactly where in the city these can be added, but if sites become available, these projects will be built. We do not propose any code changes to facilitate this kind of development, but we may be able to identify some incentives if the council wants to encourage more of this kind of development.

The question before Council is whether to encourage significant residential growth, and if so, to determine which product types to support. We will tailor the economic strategy to reflect these goals.

The Future of Marine View Drive

One of the more positive conclusions from our analysis is that Marine View Drive (by which we mean the section between the QFC and Red Robin) has the potential to be an attractive pedestrian-oriented community shopping and dining street, and it is currently improving. . The street grid, sidewalk improvements and other infrastructure needs are already in place, and there is a growing residential population within walking distance. Vacancy rates are low, and a number of investors are buying available buildings and making capital improvements to them.

Investors can afford to buy and fix up existing buildings, but there is no evidence that new, mixed-use development is yet feasible. (We will present pro forma economic analysis for both the QFC and Blais sites in our final report.) Without active City involvement, both financial and managerial, the improving conditions will continue, but could easily stall out once the existing buildings are all renovated and occupied. With City help, the street could be transformed over the next ten years.

The decision the consultant team needs to complete the economic development strategy is almost a simple thumbs up or down. Does the City want to dedicate resources to promote and foster development along Marine View Drive, with the intent to create a focal point for the community and a positive image to visitors? Do you want this program to be a City priority? The reason it is a simple decision is because the implementation includes a broad range of initiatives and exercises, and we are simply asking if you want us to present them. We can then get you started on the path, but you will have many options and choices as you go along.

Some of the possible initiatives are listed below, with the more expensive options listed first.

- ❑ Acquire certain mid-block and alley-oriented parcels for City-owned community parking. Use these spaces in a latecomer fee arrangement in lieu of structured parking within private projects.
- ❑ Further enhance the pedestrian experience. Replace the cobra head fixtures. Construct bulb-outs and textured paving sections at crosswalks. Provide pocket parks, benches and weather protection for pedestrians.
- ❑ Restructure fee schedules to encourage targeted development types.
- ❑ Secure and manage grants for storefront and signage improvement projects.
- ❑ Identify and manage State-funded façade and canopy improvement loan programs.
- ❑ Identify additional traffic-calming and vehicle-slowng devices.
- ❑ Devise a flexible parking standard that allows existing, non-conforming parking configurations to remain. Work with developers on creative parking solutions.
- ❑ Either fine derelict property owners or fund clean-up of vacant parcels, with liens on properties.
- ❑ Embrace the eclectic nature of the street and support atypical development solutions. Encourage diversity of style and signage.
- ❑ Hold developer/property owner gripe sessions and provide extra support in the planning and permitting process.
- ❑ Support special events and street festival plans with staff and funding. Support efforts of Chamber, boosters and other community groups.
- ❑ Encourage higher-density residential development between MVD and the waterfront.
- ❑ Strengthen pedestrian and vehicular connection to waterfront.

The Future of the Waterfront

Along with Marine View Drive, the waterfront (which includes the marina, the Wasson house and Beach Park) represents your best opportunity to improve the community and change the image of the city. The question facing the Council is a strategic one, which translates quickly into a financial decision.

It is our opinion that the marina, as a city department, has been managed primarily as a revenue source for the city. The master plan completed a few years ago had as its cornerstone the creation of more revenue-generating guest moorage spaces and additional dry-stack storage (which proved to be uneconomic). The promenade and boardwalk were subservient to the seawall changes, which were designed to maximize the number of slips, and the parking was severely compromised. We understand that the master plan is being

revisited, so there is an opportunity for the Council to establish a new vision for the waterfront if you are so inclined.

We would like you to consider a radical transformation of the marina. Remove the boat repair yard in the middle of the site, and move the dry storage to the back of the site. Reestablish the linear connection from the south to the north end and plan for modest commercial nodes at both ends. Place a high priority on the public promenade, and connect it as strongly as possible to other pedestrian trails to the north and south. Strengthen the access along Cliff Ave, and move the entrance to the top of the hill.

Such a program would both increase your capital costs and reduce your revenue stream, but this is the one area where the investment would be recovered throughout the community in a better quality of life, civic pride and city image. The question you face is whether to direct city staff to retain revenue creation as the top marina priority, or to change it to a goal of creating a community and regional waterfront resource that includes boating, but also includes non-boating amenities.

We will discuss the potential for Beach Park, the mosquito fleet, waterfront events and other related topics in the final report. What we are suggesting here is a shift in priorities. It's a vision thing.

The Future of the NEST Properties.

The Port of Seattle owns the largest single industrial property within the city of Des Moines, and it has been negotiating the site grading permits with City staff. The NEST study consulting report, paid for in part with city funding, suggests that the highest and best use for the property is to prepare it for industrial purposes that support the airport's airfreight functions. It further concludes that demand is such that the properties could be developed as soon as the sites are prepared, bringing 2000 jobs and over \$80,000,000 in wages into the local economy.

Some Council members would prefer that the property be developed with a higher employment density, such as would occur with an office development or biotechnology campus. In such a scenario, the number of jobs might increase to 3000, and the wages might double. Kidder Mathews, the NEST consultant, did not find any current market support for this kind of development, so to follow this approach would likely keep the property in mothballs for some number of years.

In a way, the decision here is similar to the Pacific Ridge choices. Should the Council select a path that produces relatively immediate results, or should it impose development criteria that may eventually result in a more significant

buildout? Regardless of the choice, the decision must be made soon, as the site negotiations are currently underway, and the decision will become a cornerstone of the economic development strategy, as the land represents the majority of the city's industrial land.

The Comprehensive Strategy in a Nutshell.

Absent direction from City Council, we would generally recommend that the city modify its zoning and development standards to promote the kinds of demand and development that are in the marketplace today. These include the assorted residential opportunities, the interest in Marine View Drive, the significant commercial potential of the PR-C2 properties on Pacific Highway and the industrial jobs on the Port properties. These are all sources of future revenue for the City.

But we would also advise you to invest some of that new revenue in strengthening the Marine View Drive commercial district and re-making your waterfront. While these may not produce immediate economic benefits, they strengthen the image and amenities of the community, making Des Moines a more desirable place to work and live. This will attract higher incomes into the community and increase property values, providing newcomers and current residents alike with a more vibrant, diverse city.

The revenue potential and the investment elements are obviously related. If you can't find the revenues, you can't invest in your community, and if you don't invest in your community, the desirability of Des Moines will diminish and your market opportunities will fade.

Once you consider these five core decisions for the economic development future of the city, we will prepare a strategy and implementation plan that reflects your objectives. To the extent you want further input, we are available for additional discussions with you regarding these issues.

EXCERPT
DES MOINES CITY COUNCIL MINUTES
June 1, 2006

Pacific Ridge Vision and Code

City Manager Piasecki introduced the subject. He clarified that staff would issue a determination regarding Mr. Johnson's issue soon and that Mr. Bjorneby wished to have a use in his building that was currently not allowed in the Pacific Ridge area.

Mayor Pro Tem Thomasson stated his understanding of the argument for an interim use but recommended that a phase out plan also be identified. He said that it might be premature for Council to address Mr. Johnson's issue since administration had not completed its process.

Councilmember White said that she did not believe Pacific Highway South would be a walkable community. She voiced support for readdressing the area's vision. Councilmember White stated that Council should consider the current market and recognize that car dealerships located in some areas could be a source of economic revenue for the City.

Councilmember Sherman felt that the current vision was still good and should be maintained. He stated that it was better for the City to have property occupied rather than vacant. Councilmember Sherman said that he could support some extension of existing uses but he did not want to add new uses. He recommended that some accommodation be made to keep property active, alleviate crime, and add revenue to the City.

Councilmember Scott voiced agreement with Ravenhurst Development's recommendations that the development standards should be appropriate for the current market and be applicable for the next five to ten years. She supported a review of the vision including the review of permitted building heights. Councilmember Scott did not want to take any action that would make it impossible for people with current investments in the area to make a reasonable use of their property now. The rules should create an incentive for higher use later.

Mayor Sheckler voiced agreement with Councilmember Sherman's comments. He said that there were properties with unique characteristics in the area that warranted consideration. He asked staff to identify Council's options, should they be willing to consider a conditional use provision.

Councilmember Pina said that he did not wish to change the vision for Pacific Ridge but he understands that property owners need time to afford the vision. He voiced support for a three year conditional use. In regard to the Bjorneby property, Councilmember Pina said that the land could become the basement of a high rise.

City Manager Piasecki said that the current code does not allow conditional or limited type use permits in the Pacific Ridge area.

City Attorney Marousek suggested that the City Manager brief Council on staff's final interpretation of the Code at a later meeting.

Mayor Pro Tem Thomasson stated that the Code should clarify abandonment or cessation of non-conforming uses.

EXECUTIVE SESSION

At 9:00 p.m., Mayor Sheckler announced a ten-minute break to be followed by a fifteen-minute executive session.

City Attorney Marousek announced that the purpose of the executive session was to discuss with legal counsel representing the City litigation or potential litigation to which the City was, or was likely, to become a party and about which public knowledge regarding the discussion was likely to result in an adverse legal or financial consequence to the City pursuant to RCW 42.30.110(1)(j).

Present: Mayor Sheckler, Mayor Pro Tem Thomasson and Councilmembers Kaplan, Pina, Scott, Sherman and White (arrived at 9:20 p.m.). Also present were City Manager Piasecki and City Attorney Marousek.

No formal action was taken.

At 9:26 p.m., the executive session concluded.

At 9:27 p.m., Council reconvene in open session.

Pacific Ridge Vision and Code, Continued

Mayor Sheckler directed staff to determine methods to grant the considerations of the two parties with the recognition that they are existing non-conforming businesses. He said that the new Councilmembers deserve an opportunity to provide input into the Pacific Ridge vision. He recommended that this be done in a retreat format.

Mayor Pro Tem Thomasson asked staff to confirm the information regarding the adjacent lots and expanded use.

City Manager Piasecki informed Council that he would be meeting with Mr. Johnson on June 2nd. He noted that the Code allows one auto body shop in the area. Bjorneby's Auto Rebuild was currently the auto body shop. He stated his opinion that an auto upholstery business, located within the building, would be allowed. Other uses discussed but not currently allowed would require a Code revision.

SPECIAL MEETING DES MOINES CITY COUNCIL MINUTES

July 31, 2006

The special meeting of the Des Moines City Council was called to order at 6:25 p.m. by Mayor Sheckler at the Council Chambers, 21630 11th Ave. S, Suite C, Des Moines, WA.

ROLL CALL -- Present: Mayor Bob Sheckler, Councilmembers Dan Sherman, Ed Pina, Dave Kaplan, Carmen Scott and Susan White. Also present were City Manager Tony Piasecki, City Attorney Linda Marousek, Police Chief Roger Baker, Planning Building and Public Works Director Grant Fredricks, Planner II Denise Lathrop, Planner Jason Sullivan and Permit Specialist David Steen.

DISCUSSION ITEM

Pacific Ridge Development

City Manager Piasecki suggested that the Council might focus first on Attachment 1, "6 Policy Questions for Council Consideration."

POLICY QUESTION 1—Building Heights in the Zoning Code

Councilmember Kaplan took issue with the published legal building heights, questioning whether they represented the intention of the Council when the Design Guidelines were first decided. (Planner Sullivan referred to the specific height limitations in the area: 55 ft. West of Pacific Hwy; 85 ft. in the commercial area East of Pacific Hwy; and 35 ft. in the residential area, with an exception for condominiums which can be as high as 120 ft.) Councilmember Kaplan remembered the intent of the Council to be for lower buildings on the West side of Pacific Hwy. because those properties abutted residential properties. City Manager Piasecki offered to check old Council Minutes to affirm the Council's intentions.

Councilmember Pina suggested that the intentions of the Council at an earlier time might not be of as much interest as the direction the present City Council might choose for future development.

Planner Sullivan commented that the International Building Code limits the height of wood-frame buildings to 35 ft, although he mentioned that Seattle and Federal Way have allowed 55 ft. wood buildings.

Councilmember Scott reported on research she had recently completed regarding the ownership changes in Pacific Ridge properties. She found that one-third of the properties had changed hands in the past three years, including all kinds of property in the area. She further reported her understanding that people who are investing are seeking 120 ft. heights.

Councilmember Scott asserted that there was also an underlying need to make the housing in Pacific Ridge crime free and more desirable. She offered a Polygon development just east and down the S. 216th St. hill from Des Moines as beautiful architecture that is in great demand. She also mentioned an area of Kent just north of the Golf Course where people are not selling their condos because they cannot find anything better.

POLICY QUESTION 2—Consulting developers; promoting highest and best use

Councilmember Scott also reported a conversation with a commercial realtor who suggested that Des Moines would need a transit center to help spur interest in the Pacific Ridge Area. She suggested that the City of Kent should be consulted about its transit plans in the area nearby.

Councilmember Sherman asserted that the Council needs to hear from “real players” who do large developments. He suggested that inventive developers would be able to figure out projects that would work in Pacific Ridge. (He mentioned Sabey’s work at the old Providence Hospital building in Seattle as an example.)

Councilmember Pina agreed with Councilmember Sherman. He noted that we have the issue of being in the flight path from Seatac Airport and that there are crime problems in Pacific Ridge. But he also suggested this might be diminishing as the Police Department is able to enlarge its staff and dedicate more staff to Pacific Ridge. He also said he thought of the East side of Pacific Hwy as a great place to develop a building like Walgreens and wondered whether a mall or “big box” store might be appropriate.

Councilmember Scott observed that the Ono and Furneys properties were the only ones large enough on which to do mall development.

Councilmember White reminded the Council of the Ravenhurst study which the City recently commissioned and received. She recommended that Council would do well to pay attention to that document. She argued that Pacific Highway is, after all, a highway, and thus a limiting factor when pedestrian access is desired. She suggested that Downtown Des Moines and the Marina are better places to put money and attention.

Councilmember Kaplan advocated having developers who build 8 to 12 story buildings tell us what they need to make it happen here. He reminded Council that five or six years ago, the Council understood Pacific Ridge development to be a decades-long process. But he maintained that to get it started we need an anchoring project, even if the City has to make it happen.

At this point, Mayor Sheckler asked if there were any of the six policy questions on which the group might better focus to get more done.

Councilmember Sherman summarized that everybody in the group thought it would be a good idea to talk to big developers and suggested we should proceed with that to find out what zoning creates the atmosphere to encourage building.

Councilmember Pina added the idea that four to six developers be identified and asked to review the City's vision for Pacific Ridge and give us feedback.

Councilmember Scott reported further on her research:

1. A mobile home park on S. 220th St., next to the City Park and close to three large Puget Sound Energy properties, just experienced a \$1.1 million increase in its property taxes in one year. She offered this as hope that landowners might begin to be encouraged to sell their properties the value of which are now rising because of our zoning in order to avoid the high taxes.
2. A commercial realtor suggested there is stiff competition with Southcenter and Federal Way, which have 6 million and 9 million sq. ft. ready to build. It is hard for us to compete for new commercial development.
3. She pointed to the decline of the Delrose Manor neighborhood and suggested the Council consider zoning for something more up to date for college housing.

Planner Sullivan suggested that two points should be remembered about development in Pacific Ridge:

1. There may be a challenge because of the high-voltage power lines on the East side of the highway which will be in the way of views of some levels of buildings there.
2. At this point, buildings are not required to go through SEPA because of the work done earlier. If much change is projected, that issue might have to be revisited.

City Manager Piasecki offered these observations:

1. There is a need for owner-occupied dwellings instead of apartments.
2. Talking to developers is a good idea, but:
 - a. They may not want to talk to us, or;
 - b. They may want us to pay them for their expertise.

Planner II Lathrop mentioned she is aware of a situation where the City of Seattle was in a similar spot. There, she said, they put investment into the neighborhood and worked with a large developer.

When Mayor Sheckler asked that a list of developers be put together who are specialists in Retail and Condos, the group listed these four: Kemper Freeman, Sabey, Horton and Wallace.

POLICY QUESTION 3—Encouraging land assemblage for larger-scale development

When the subject of aggregating property arose, several comments were offered:

1. Present owners are stubborn
2. Developers have experience in aggregation

3. The City may need to assemble property
4. Developers can tell us whether they need help

City Manager Piasecki redirected the discussion to Policy Question 4, concerning nonconforming uses of property. He asked whether Council might want to start allowing some uses or to limit any use.

When Councilmember Pina asked whether the Council could limit the duration of a nonconforming use, City Attorney Marousek answered yes, and that it is called Abatement.

Councilmember Sherman suggested that the developers we consult might speak to this issue.

POLICY QUESTION 4—Interim Uses

On the subject of “interim uses”, City Manager Piasecki said he was leery of providing such disincentive to owners to move toward upgrading or developing. He later made the point that the “auto related” buildings are mainly “boxes” which could be reconfigured to house other kinds of business.

Councilmember Scott affirmed that the City should allow the use for which a building was designed until the economy picks up enough for an owner to consider selling or redeveloping. She reminded the Council that it was the City which made some uses nonconforming.

Councilmember Kaplan warned that the City must provide incentive for change.

Director Fredricks mentioned that in the case of two buildings, B. J. Bjorneby’s and Dunn’s, we have denied business licenses to potential renters who would have been more auto related businesses than are allowed.

Councilmember White suggested that since we need tax revenue we should consider trying to attract an auto dealership.

Mayor Sheckler asked for a poll concerning limiting nonconforming uses with conditions.

City Attorney Marousek asserted that there would need to be very clear cut rules for such action.

Councilmember Kaplan said the decision to allow no more than 3 auto related uses was “political.”

At 8:20 p.m., Mayor Sheckler called for a 10 minute break. At 8:30 he reconvened the meeting.

POLICY QUESTION 5—Crime in Pacific Ridge

Mayor Sheckler moved to Policy Question #5, about Crime in Pacific Ridge, and turned to Police Chief Baker to comment on the situation as he sees it.

Chief Baker reported that the Crime Free Rental Housing Ordinance is working, evidenced by fewer calls for service at private properties. He qualified that by saying that in Pacific Ridge, the criminal activity has moved to the street. He mentioned that it will take more labor hours to push it on out of the neighborhood and suggested ways to limit parking so that officers can more easily force cars out that do not belong there. He said he thought it would take six weeks of concerted effort to push the criminal activity out, then more effort to keep it out.

Chief Baker mentioned that there has been a 50% decrease in the rate of increase in crime in Des Moines.

He suggested that the Police Department might have enough money left from its 2006 budget to allow hiring 2 or 3 people at the first of 2007 rather than waiting until April when the first Levy Lid Lift money will arrive.

There was great interest in the idea of "parking by permit" in Pacific Ridge. Mayor Sheckler asked how soon permitted parking could be implemented. City Manager Piasecki said he believed there was no need for such a program to be brought before Council and that action could begin in a matter of weeks. Chief Baker added that he believes the property owners and people who live in Pacific Ridge will embrace such a program.

POLICY QUESTION 6—Preparing for Transit development

When City Manager Piasecki moved the discussion to Question 6, Councilmember Pina noted the importance of connecting Pacific Ridge and Transit Passengers from Pacific Hwy. South to Downtown. Councilmember White added that it would be well to consult King County Councilmember Julia Patterson regarding future transit development.

Mayor Sheckler summarized by saying we need help in finding the right people to consult about the issues of the evening.

ADJOURNMENT

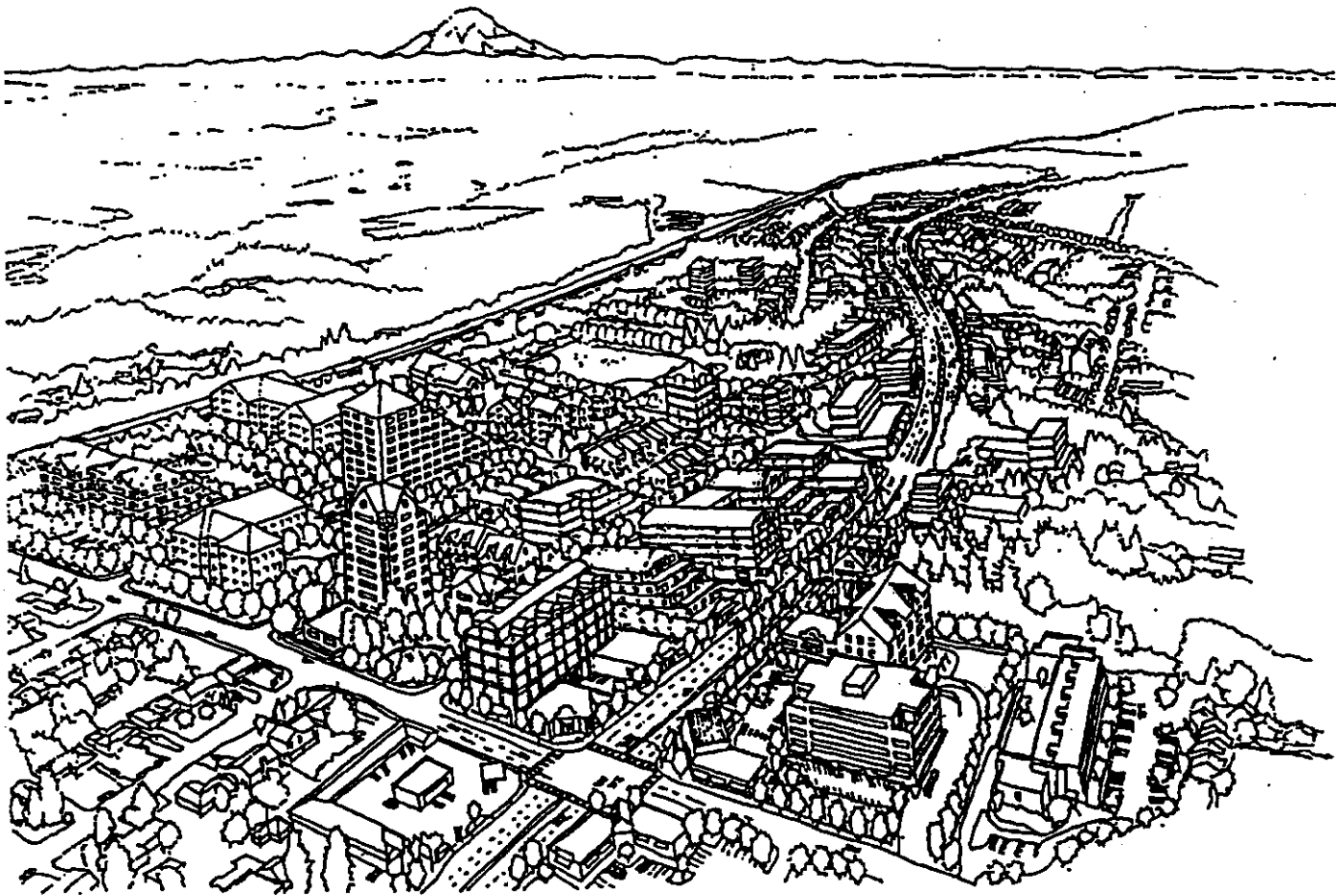
At 8:55 p.m., Mayor Sheckler adjourned the meeting.

Respectfully submitted,

Dave Steen.

Pacific Ridge Neighborhood Design Guidelines

JULY 13, 2000



City of Des Moines, Washington

Pacific Ridge Design Guidelines

Adopted July 13, 2000
Ordinance No. 1268

For more information:

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Like all of Des Moines' land use controls, the Pacific Ridge Design Guidelines may be amended from time to time by the Des Moines City Council. These Guidelines are intended to serve as a "user-friendly" guide to the design of new development within Pacific Ridge. Interested citizens should review the Des Moines Municipal Code (DMMC) and consult with the Community Development Department to confirm current standards, guidelines, and requirements. Design review regulations are contained within chapter 18.58 of the DMMC, and can be viewed electronically at the City's web page at the address above.

PACIFIC RIDGE DESIGN GUIDELINES

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DESIGN GUIDELINES

The redevelopment of the Pacific Ridge Neighborhood offers a unique opportunity to recast a challenged neighborhood into a cohesive, healthy and vital part of the community. This transition will be highly dependent on the quality of the development that occurs within the area. Although proposed zoning regulations (such as use, bulk and dimensional limitations) will provide increased opportunities and incentives for redevelopment, individual projects can be uneven in their execution and could (in the worst case) create disincentives for further redevelopment. Design guidelines are a powerful and predictable tool that can be used to both ensure a higher quality built environment and significantly reduce the risk of inappropriate development.

1. ABOUT THE DESIGN GUIDELINES

The design guidelines for the Pacific Ridge Neighborhood have been prepared in a manner that allows for creative design while guarding against development which is incompatible with the City's vision for Pacific Ridge. The guidelines identify various considerations that should be addressed in the ongoing evolution of the neighborhood. The guidelines serve three purposes:

1. Provide community members with an overall conceptual approach that will enable the actions of independent development to be in concert with, and add to, the diversity and richness of the neighborhood and Des Moines in general;
2. Provide prospective developers and designers with a checklist of issues that must be addressed in their development proposals; and
3. Provide the City of Des Moines with a method of evaluating public and private development or redevelopment within Pacific Ridge on a consistent, expeditious basis.

2. ORGANIZATION AND APPROACH

The design guidelines are organized into three parts:

1. The first part of the guidelines contains broad, overarching urban design *objectives* for the neighborhood. These objectives establish the overall purpose, intent and urban design concepts that are central to the redevelopment effort and illustrate the desired outcome for Pacific Ridge.
2. The second part is the *guideline* itself, in bold letters. The guidelines are concise statements indicating one or more ways to achieve the objectives.
3. The third part of the guidelines elaborates on the guideline and addresses the specific *techniques* that can be used at the site and building scale to achieve the overall neighborhood design objectives. The techniques are accompanied by an illustration that provides a good example of how to successfully implement the techniques in order to achieve the desired design objective.

OBJECTIVES

1. NEIGHBORHOOD IDENTITY AND DEFINING CHARACTERISTICS

- To support and implement the vision for Pacific Ridge as expressed by the Des Moines City Council.
- To reinforce and further the goals contained in the land use policies and regulations for Pacific Ridge.
- To accommodate higher density residential development in a manner that enhances the quality of life of Pacific Ridge residents through superior planning, design and construction.
- To foster a healthy built environment that contributes to a lasting, positive image of the community for residents of Pacific Ridge and Des Moines in general.
- To acknowledge and support the integrity of the Pacific Ridge neighborhood by creating a complimentary architectural environment, vibrant pedestrian-friendly residential and commercial streetscapes, and a system of pedestrian ways and open space elements that connect to other neighborhoods and districts within the community.

2. QUALITY BUILT ENVIRONMENT

- To create through the application of these guidelines a harmonious, high-quality, built environment using design approaches, techniques and elements unique to Pacific Ridge as well as successful design approaches used in other communities.
- To ensure that projects are constructed of durable high-quality materials that enhance the built environment and minimize the need for maintenance.
- To ensure that public spaces (street rights-of-way, parks, plazas, etc.) are constructed of durable high-quality materials that enhance the built environment and minimize the need for maintenance.

3. PEDESTRIAN ENVIRONMENT

- To acknowledge that while automobile traffic is a dominant element in Pacific Ridge, good pedestrian connections will be a defining element in building a strong neighborhood and are integral to its vitality.
- To ensure that (re)development in the Pacific Ridge Neighborhood contributes to the establishment of the pedestrian network through the provision of sidewalks, street furniture and lighting, signage and landscaping which supports the streetscape.

4. NEIGHBORHOOD INTEGRATION AND SEPARATION

- To acknowledge the mix of uses within the neighborhood and provide appropriate transitions between commercial uses fronting Pacific Highway South and adjacent residential areas.
- To maximize the use of existing topography as a means of separating the commercial uses found along Pacific Highway S from adjacent residential areas.
- To avoid the creation of "left over" or undefined spaces between commercial uses and surrounding residential development.

5. PUBLIC HEALTH, SAFETY AND WELFARE

- To promote public health and safety through the application of quality design features including Crime Prevention Through Environmental Design (CPTED).

GUIDELINES

1. SITE DESIGN

A Site Design Concept

Intent

- To encourage development that displays a clear and unifying site organization and composition of buildings and landscape features.
- To upgrade the overall visual appearance of the Pacific Ridge area.
- To support site design that promotes ease of use, comfort and safety for employees, visitors and residents.
- To stabilize and improve property values.
- To reduce and discourage crime.

Guidelines

1. **Site design elements shall be organized to provide an orderly and easily understood arrangement of building, landscaping, and circulation elements that support the functions of the site.**

Site design planning is the arrangement of landscaping, open spaces, buildings, circulation elements, and other features to support the goals of the development. Each of these elements is interrelated. A well-conceived site design concept and effective site plan should address the following:

- a) Demonstrate how the elements of the site relate to the street front;
- b) Provide for compatibility with adjacent sites;
- c) Provide protection for natural features;
- d) Respond to climatic factors such as prevalent wind patterns, and sun and shade;
- e) Enhance street corners, which are the most prominent and visible part of a site (see Guideline 1.C.1. for additional guidance);
- f) Promote safety;
- g) Incorporate service areas in a non-obtrusive manner;
- h) Incorporate stormwater facilities in a non-obtrusive manner;
- i) Provide convenient pedestrian and vehicle circulation connecting on-site activities with adjacent pedestrian routes and streets.
- j) Consider the viewsheds of surrounding properties.

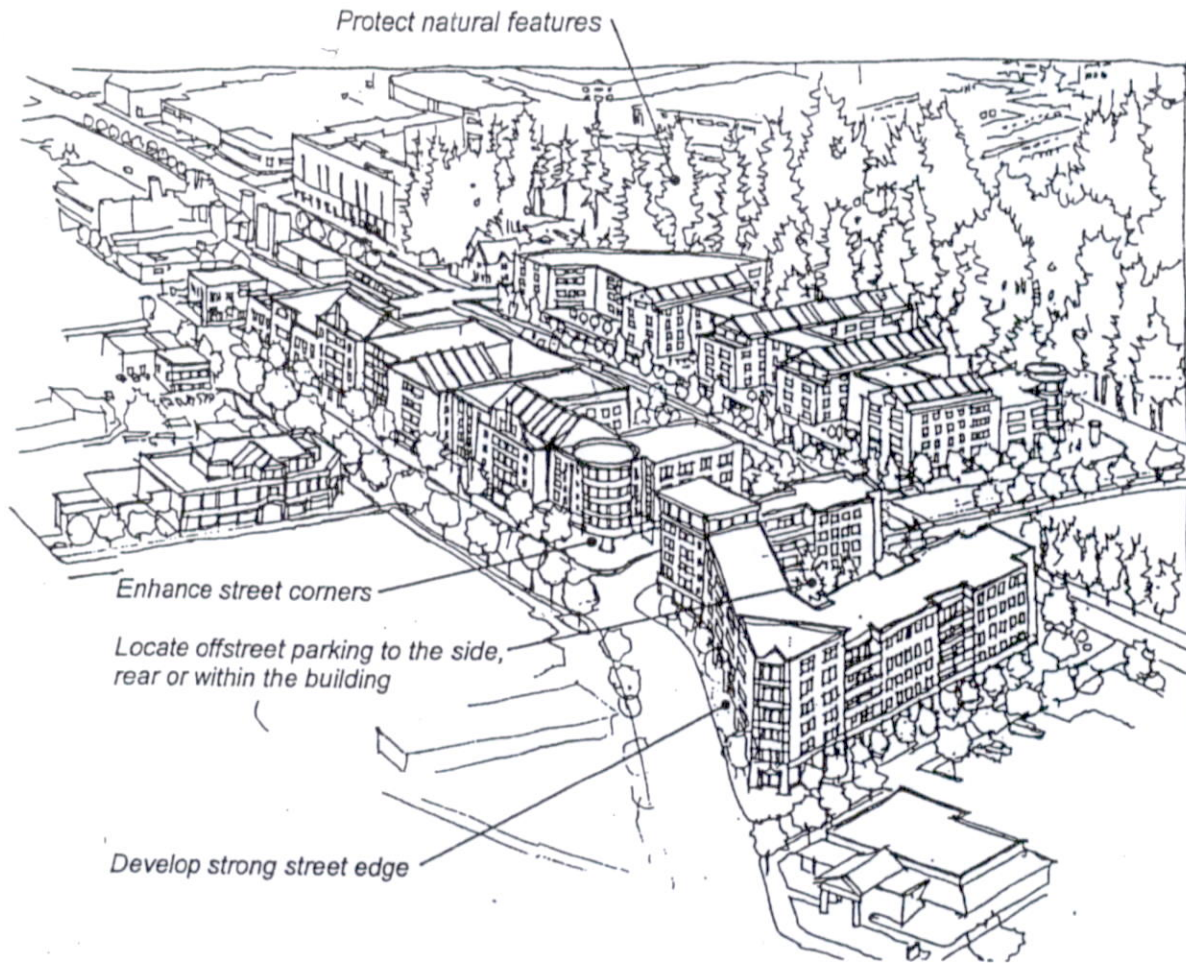


Figure 1.A.1: Example of a commercial/mixed-use site design

B. Relationship to Street

Intent

- To create an active, safe pedestrian environment.
- To upgrade the visual appearance of the Pacific Ridge area.
- To unify the streetscape by providing a consistent 'edge' to the street.
- To ensure that building access is visible and accessible to pedestrians and drivers from the sidewalk and street.
- To ensure that building entrances are a prominent element of the streetscape.

Guidelines

1. Site design elements shall be organized to create a distinct street edge, and minimize parking between structures and street.

The primary purpose of this guideline is to ensure that private development creates a more pedestrian friendly environment.

Public sidewalks and planting strips. Public sidewalks are required along all street frontages. Specifically:

- a) *Pacific Highway S:* Highway redevelopment will include sidewalks of between 6 and 8 feet, with 4 to 6 feet wide planting strips between the sidewalk and the street. Adjacent storefronts shall provide additional sidewalk width to provide a minimum total of 12 feet.

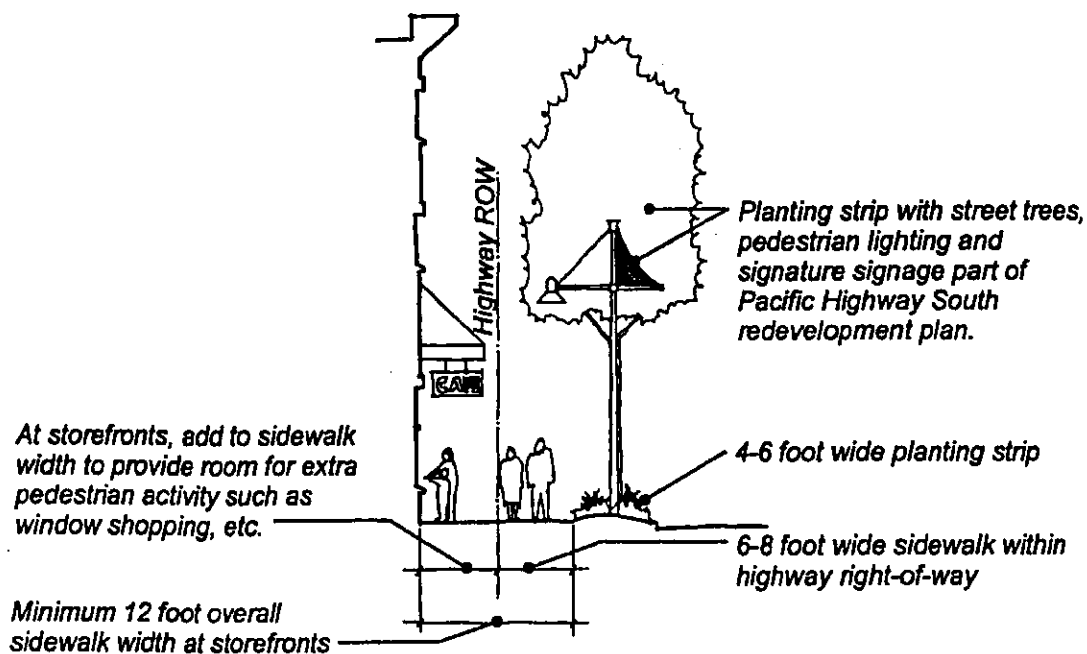


Figure 1.B.1.a: Section through sidewalk on Pacific Highway South

- b) *All other Pacific Ridge streets:* Provide sidewalks as required by Des Moines Street Standards, plus a 4 foot wide planting strip with street trees and pedestrian lighting. Transition sidewalks and planting strips to align with existing sidewalk and planting strips.

Where sidewalks do not exist, private property owners will be required to install them in conjunction with new development. In most cases, sufficient width exists to construct the sidewalk within the public right-of-way; however, if there is not sufficient right-of-way, then private property owners will be required to construct a sidewalk that meets width standards and dedicate the area to the City.

There may be some situations where the traffic lane adjacent to the sidewalk or proposed sidewalk is substandard in width. In this case, private property owners must both provide for the standard lane width and the standard sidewalk width.

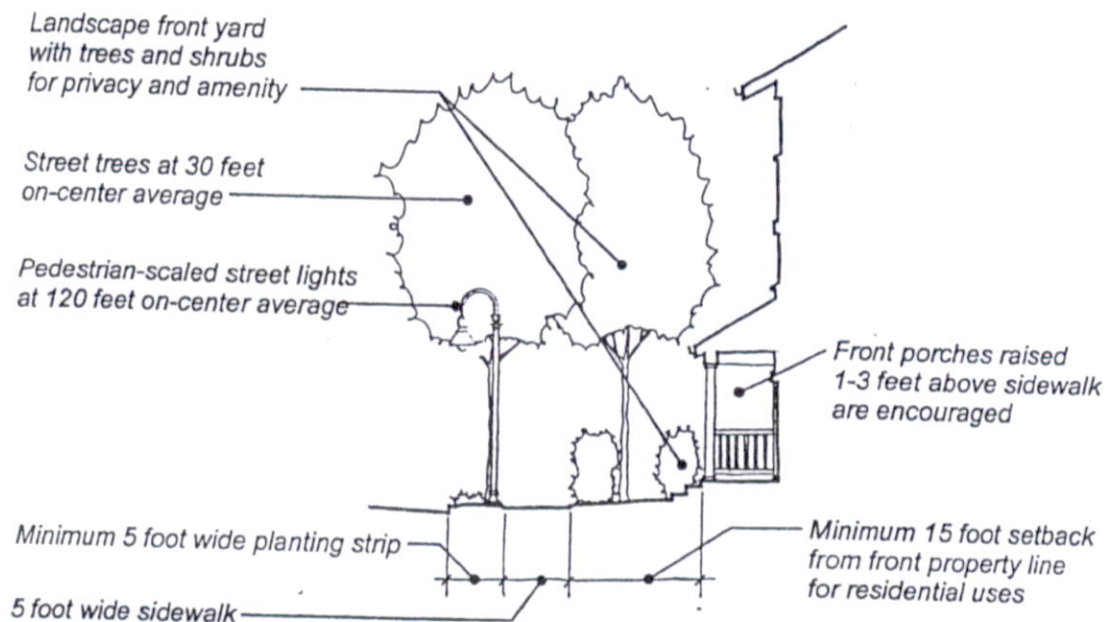


Figure 1.B.1.b: Residential street sidewalk and planting strip

Building setbacks. New commercial or mixed-use development projects shall locate buildings adjacent to or close to the public sidewalk along the primary fronting street. Acceptable uses between the public sidewalk and new building include landscaping, walkways, or "pedestrian-oriented space" (see *Definitions*).

New residential buildings shall be setback at least 15 feet from the front property line to provide a sense of privacy and to increase landscaping opportunities.

Parking areas. Parking within or below building structures is strongly encouraged. Surface parking areas shall be placed to the side or in back of the building, or a combination of the side and back. Two or more small parking areas are preferable to one large parking area, particularly if one parking area is adjacent to the public street.

2. For commercial structures, at least one building entry must be oriented to the development's primary street.

The front facade and at least one major entry of developments shall face the primary public street. Primary entries of buildings located on Pacific Highway S that are located on a secondary facade are also allowed, provided that the entry is visible from the highway.

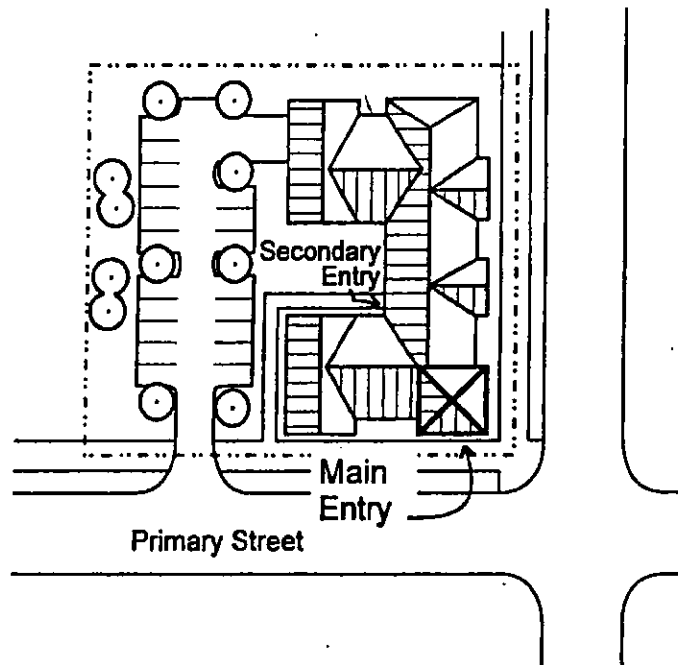


Figure 1.B.2: Site plan showing relationship of building, parking and entries to the street

C. Street Corners

Intent

- To increase the prominence of buildings on street corners.
- To add visual interest to the streetscape.
- To improve access to buildings located on corner lots.

Guidelines

1. The importance of street corners shall be emphasized through building location and architectural features, pedestrian access provisions, special site features and/or landscape features.

New buildings on Pacific Highway S shall be located within 20 feet of the back side of the public sidewalk or right-of-way at the street corner. New buildings in all other corner locations within are encouraged within 20 feet of the back side of the public sidewalk or right-of-way at the street corner. Where buildings are located within this area, "pedestrian-oriented space" (see *Definition*) or landscaping should be provided between the building and sidewalk.

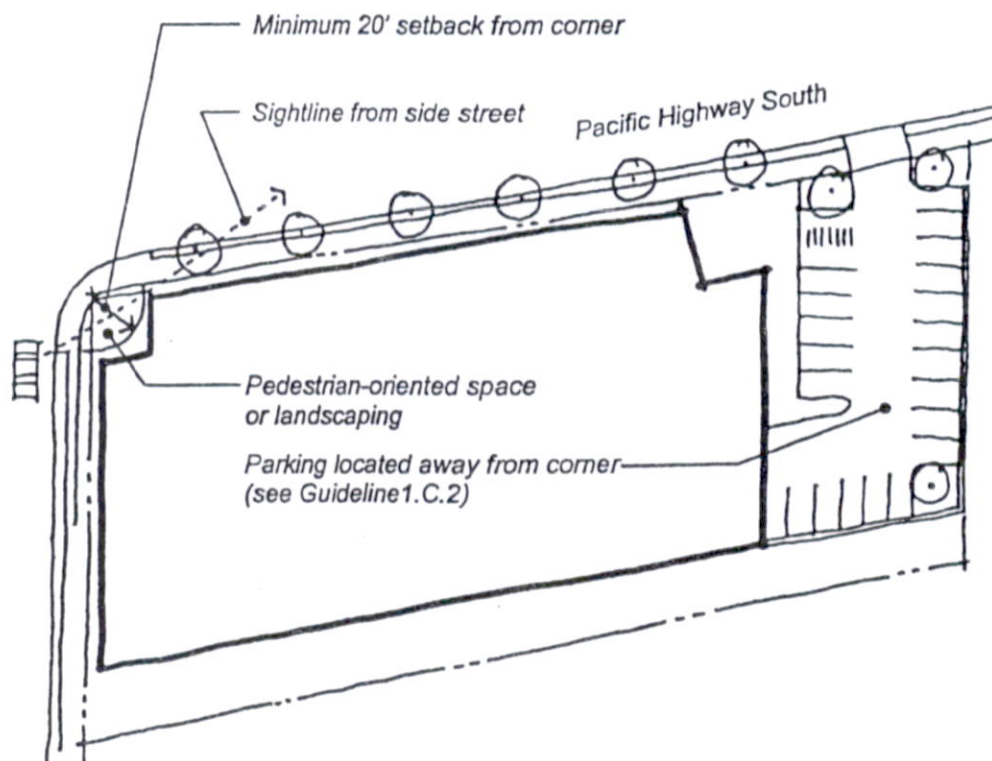


Figure 1.C.1a: Site plan of small corner commercial development



Figure 1.C.1b: Example of a successful architectural and site planning corner treatment

2. Parking lots and automobile access points shall be located away from street corners.

To maintain strong definition of corners, street fronts and street corridors, parking lots and driveways shall be located away from street corners.

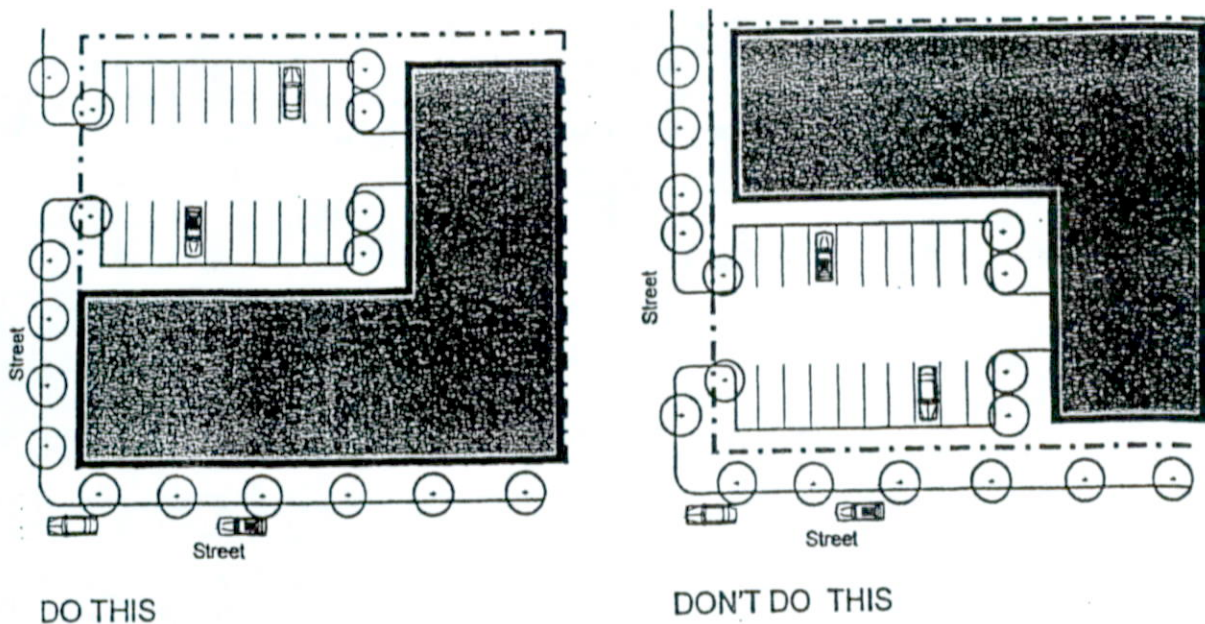


Figure 1.C.2: Locate parking and driveways away from street corners

D. Continuity with Adjacent Sites

Intent

- To develop a visually consistent building line along Pacific Highway S.
- To promote physical connections between sites.
- To promote appropriate transitions between developments and uses.

Guidelines

1. **Visual and functional continuity between the proposed development and adjacent and neighboring properties shall be maintained through setbacks, building massing, circulation and landscaping, and changes in land use.**

Building Setbacks: Building setbacks shall be established consistent with neighboring structures where feasible. Continuity along the 'edge' created by structures reinforces the spatial qualities of the street, reinforces the street edge, and ensures that all structures have equal visibility from the street. However, where older, non-conforming, neighboring structures are placed away from the street with parking in front, new buildings are required to develop a new development context by orienting development towards the street (particularly on Pacific Highway S).

Massing of Structures: The mass and bulk of the proposed buildings shall be in scale to existing structures developed under these guidelines and the design direction provided by the Pacific Ridge Zoning Code and Design Guidelines.

Special attention shall be given to the massing and design of the back-side of structures along the Pacific Highway S corridor – particularly when visible from adjacent residential properties.

Location of Pedestrian/Vehicular Circulation Elements: Provide connections to existing and planned sidewalks in the surrounding area. Ensure that on-site vehicular circulation is compatible with street circulation and pedestrian walkways. Take advantage of opportunities for combined driveways and parking (see Guideline 1.E.1., "Shared Facilities").

Landscaping: Take advantage of opportunities for combining site landscaping with landscaping on adjacent lots to create unified landscape areas that reinforce continuity throughout Pacific Ridge. Utilize landscaping to buffer commercial activity along the Pacific Highway S corridor from residential uses fronting on adjacent streets. See Guideline 3.A.2. for guidance.

Land Use: For properties fronting on Pacific Highway S, consider existing land uses on adjacent properties that front on other streets. Where properties front on Pacific Highway S and adjacent parallel streets, residential uses are encouraged on those portions of the property fronting the parallel street to provide an appropriate transition between commercial and residential uses. Where commercial properties back onto residential properties, provide design measures such as landscaping buffers or terracing to improve the transition between uses.

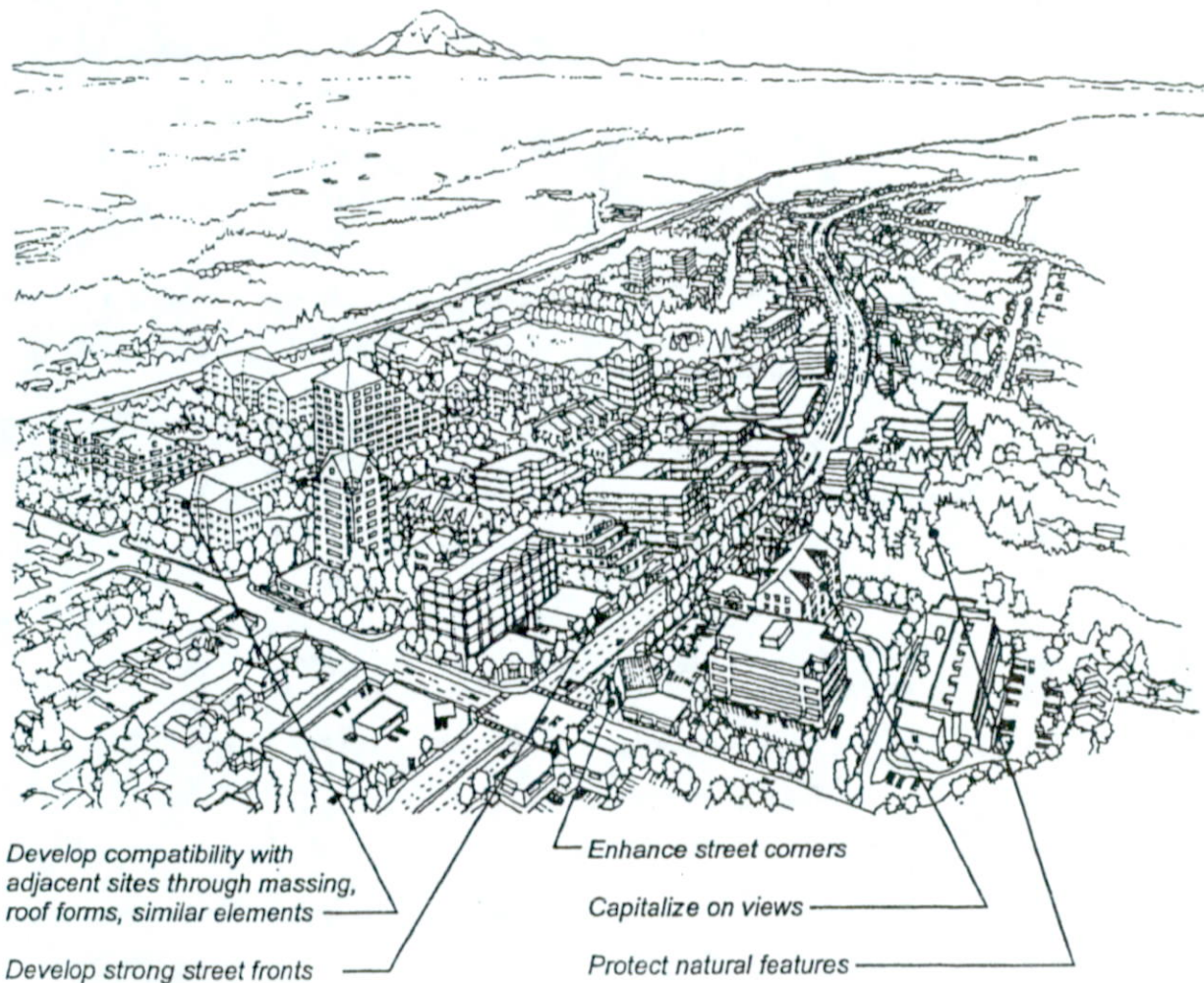


Figure 1.D.1: Example of how effective site planning can create a unified yet varied neighborhood design

E. Shared Facilities

Intent

- To promote coordinated development and/or joint development between adjacent properties.
- To promote efficient use of resources that may be shared, such as parking and driveways.

Guidelines

- 1. Joint development of sites where there is potential for common building walls, shared driveways, landscaping, or other shared facilities shall be incorporated into the site's development.**

Applicants shall take advantage of opportunities for joint development with adjacent sites where the efficiency or appearance of a development would be improved as a result. Opportunities may include shared driveways, shared parking, party wall structures, or combined landscape areas. Benefits may include a more efficient use of land, greater development density, and the ability to provide additional amenities.

As an incentive, side yard setbacks and side yard landscaping for that portion of the site used for shared facilities will be waived when adjacent owners jointly develop party wall structures, common driveways, and/or shared parking, provided that:

- a) The waiver is approved as part of overall design review approval; and
- b) Documentation governing the future of the shared use is provided to the satisfaction of the City.

(See Figure 1.F.2.)

F. Vehicular Circulation

Intent

- To provide safe, convenient vehicular access to properties while minimizing compromises to the pedestrian environment.
- To promote efficient use and higher utilization of land area.
- To eliminate duplicative facilities.
- To minimize the impact of vehicle ingress/egress on traffic flow.
- To reduce the impact of curb cuts on pedestrian walkways.

Guidelines

1. Conflicts between vehicular and pedestrian traffic shall be minimized.

Incorporate the following methods to clearly distinguish between vehicle and pedestrian circulation areas:

- a) Locate vehicle driveways on the perimeter of the site, thereby limiting pedestrian crossings within the site.
- b) Where pedestrian and motorist paths must cross, provide adequate sight distance.
- c) Use raised walkways, bollards, wheel stops, and/or landscaping to physically separate vehicles and pedestrians.
- d) Install contrasting paving materials or colors to distinguish between pedestrian and vehicle circulation areas, especially at crosswalks and driveways. Unless otherwise authorized by the Community Development Director, the paving material should be Davis Colors' "Spanish Gold" colored concrete with a 2' x 2' score pattern.
- e) Provide additional lighting at pedestrian crossings and where security is a concern.
- f) Ensure that landscaping where vehicle and pedestrian movements intersect does not block pedestrians' and drivers' views.
- g) Separate service vehicle access and loading zones from pedestrian areas where possible.
- h) Use on-site directional signs to clearly mark vehicular routes.
- i) Provide a minimum 10 foot wide landscaped buffer between any parking area and a public street ROW.

2. The amount of space devoted to vehicular circulation shall be minimized by limiting access driveways; ensuring that internal site circulation is efficient; and/or taking advantage of opportunities for shared driveways.

Vehicular circulation within sites and between sites can be improved through careful site planning (see Guideline 1.A.1., "Site Design Concept"), and planning for shared facilities (see Guideline 1.E.1., "Shared Facilities"). This in turn will increase utilization of land, ensure that parallel access roads are not provided when they are not necessary, reduce the number of pedestrian/vehicular conflicts, and improve traffic flow.

Incorporate the following methods to minimize the amount of space devoted to vehicular circulation where possible:

- a) Minimize the number of access points to the site by:
- Using shared driveways and/or shared parking facilities with neighboring properties, &
 - Sharing access drives and circulation routes between customers, employees and service traffic, where possible.

Properties shall be limited to one entry/exit per 300 linear feet of street frontage unless otherwise authorized by the Public Works Director.

- b) Ensure that parking layout is efficient, and that compact stalls are provided where possible.
- c) Limit access drive and parking aisle widths where possible.
- d) Provide pedestrian connections between properties, thereby minimizing the number of vehicle trips required.

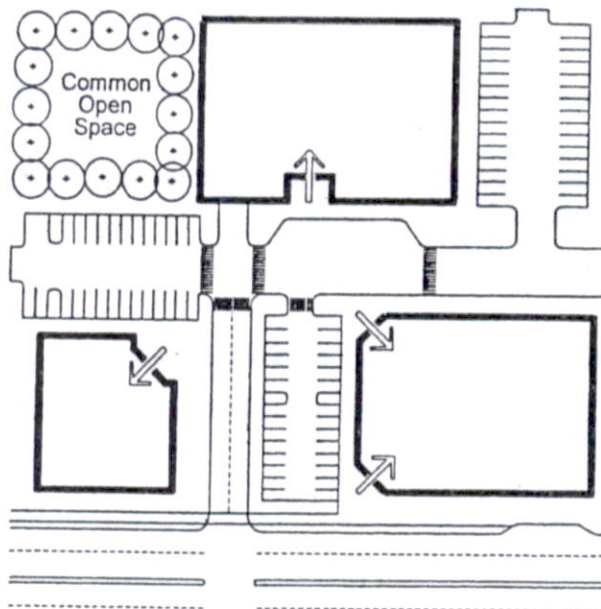


Figure 1.F.2: Example of a site design with efficient vehicular circulation, good pedestrian connections, and shared parking facilities

G. Parking

Intent

- To minimize the visual impact of large paved areas.
- To increase site utilization by reducing the amount of land area devoted to automobile parking.
- To increase the attractiveness of Pacific Highway S for pedestrians.

Guidelines

1. **The amount of space devoted to parking shall be minimized by taking advantage of shared parking and/or methods for reducing parking demand, where possible.**

Incorporate the following methods to reduce the amount of space devoted to parking where possible:

- a) Take advantage of opportunities for shared parking with neighboring properties.
- b) Ensure that parking layout is efficient, that compact stalls are provided where possible, and that aisle widths are not excessive in width. Where compact stalls are provided, such stalls should be evenly distributed among the off-street parking area.
- c) Provide two or more small parking areas rather than one large parking area, particularly if one parking area occurs between the building and the street.
- d) Provide pedestrian connections between properties, thereby minimizing parking demand for customers.
- e) Provide pedestrian connections to transit, where possible, to reduce parking demand for employees and customers.
- f) Provide bike racks in convenient and safe locations, with weather and security protection where possible.

Note: Refer to Chapter 18.44 DMMC for parking standards.

2. **The visual presence of parking lots adjacent to public streets shall be minimized.**

Separate parking areas adjacent to public rights-of-way from the sidewalk by a low screen wall 24 to 36 inches high, a continuous hedge (24 to 36 inches high at plant maturity), or other screening element approved by the City. The screen walls must be constructed of permanent materials compatible with the materials of the proposed building. Plant materials, layout, and installation, including irrigation, shall be as approved by the City.

Provide trees spaced not more than 30 feet on center. (See also Des Moines Municipal Code 18.41.290-360.) The required height stated in these guidelines is lower for visibility and security.

H. Pedestrian Connections

Intent

- To improve the pedestrian environment, making it easier, safer and more comfortable to walk between building entries.
- To improve the pedestrian environment, making it easier, safer and more comfortable to walk from the street to building entries.
- To provide a safe, continuous pedestrian network throughout the Pacific Ridge area.
- To reduce the number of vehicle trips required for customers.
- To make businesses more accessible and convenient for residents.
- To provide safe routes for pedestrians and disabled persons to transit facilities.
- To improve surveillance of transit areas from neighboring businesses.
- To accommodate customers and residents of the area who use transit.

Guidelines

1. **Paved pedestrian walkways that connect all buildings and entries of buildings within a site shall be provided.**

Walkway widths should be sized to accommodate anticipated use. Six-foot sidewalks accommodate two pedestrians and should be the minimum width for most walkways. Additional width is encouraged.

Provide grade separation or otherwise distinctively marked pedestrian walkways and crossings from parking areas and across driveways to building entrances, where possible. See Guideline 1.F.1. in "Vehicular Circulation" for guidance.

Note: Refer to Chapter 51-30 WAC governing Barrier Free Facilities for standards and requirements for the disabled.

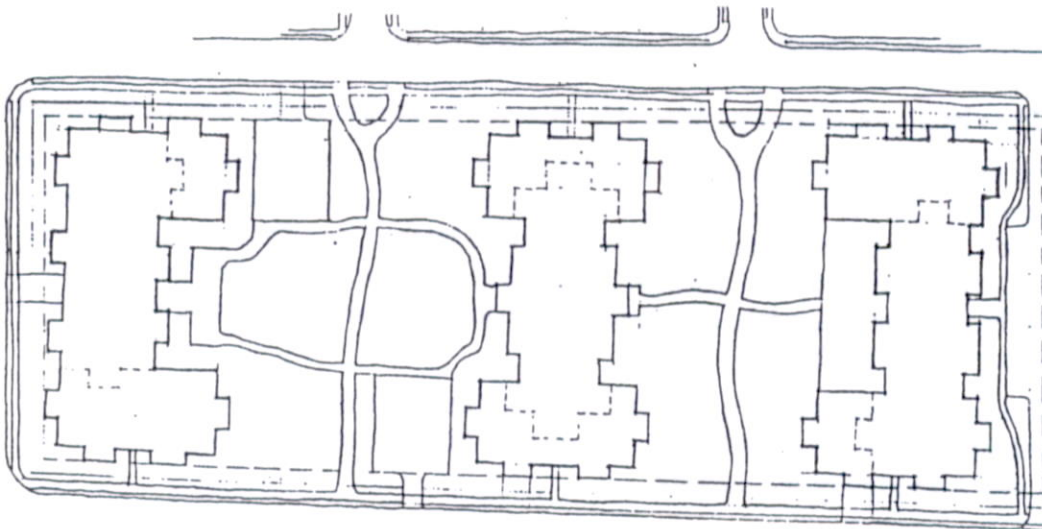


Figure 1.H.1: This larger residential site plan shows exemplary pedestrian connections, not only between the buildings on and site, but also linking to and extending adjacent streets.

2. Paved pedestrian walkways from the public sidewalk(s) to the main entry of developments shall be provided.

Provide pedestrian walkways from public streets to building entries. Six-foot sidewalks accommodate two pedestrians and should be the minimum width for these walkways. Walkways that extend through parking areas and across driveways should be designed in accordance with Guideline 1.F.1. in "Vehicular Circulation."

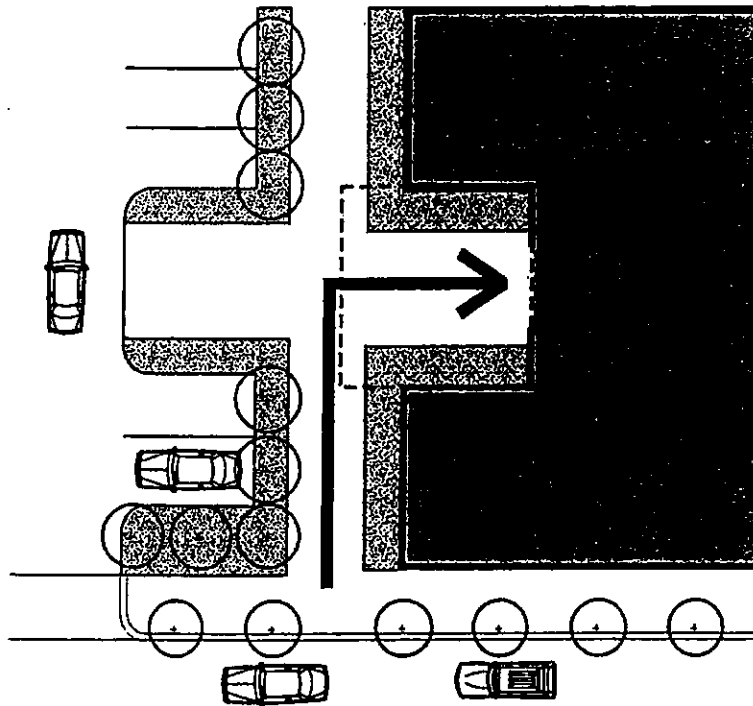


Figure 1.H.2: Pedestrian connection to a residential building entry

3. Where feasible and desirable, pedestrian connections from the site to adjacent properties or other off-site destinations shall be provided.

Provide connecting pedestrian links between the site and adjacent properties, when advantageous and appropriate for adjacent uses. Specifically, provide the following pedestrian connections to improve links between residential areas and services along the Pacific Highway South corridor, if feasible:

- a) Between 30th Avenue S and Pacific Highway S south of S 224th Street; and
- b) Between 28th Avenue S and Pacific Highway S at S 221st Street.

Take into consideration the following when designing pedestrian connections:

- a) Nearby destinations such as commercial centers, schools and public buildings, parks, transit stops, and residential complexes.
- b) Existing and planned public facilities, such as signalized intersections.
- c) Building entrances of nearby commercial developments and residential complexes.
- d) Sidewalks, vehicular drives, parking areas and other circulation elements within neighboring sites.
- e) Safety considerations, such as sight-lines around building corners and visibility from nearby streets.
- f) Refer to Guidelines 1.F.1 in "Vehicular Circulation" and 1.K.2 and 1.K.3 in "Site Design for Safety" for additional guidance.

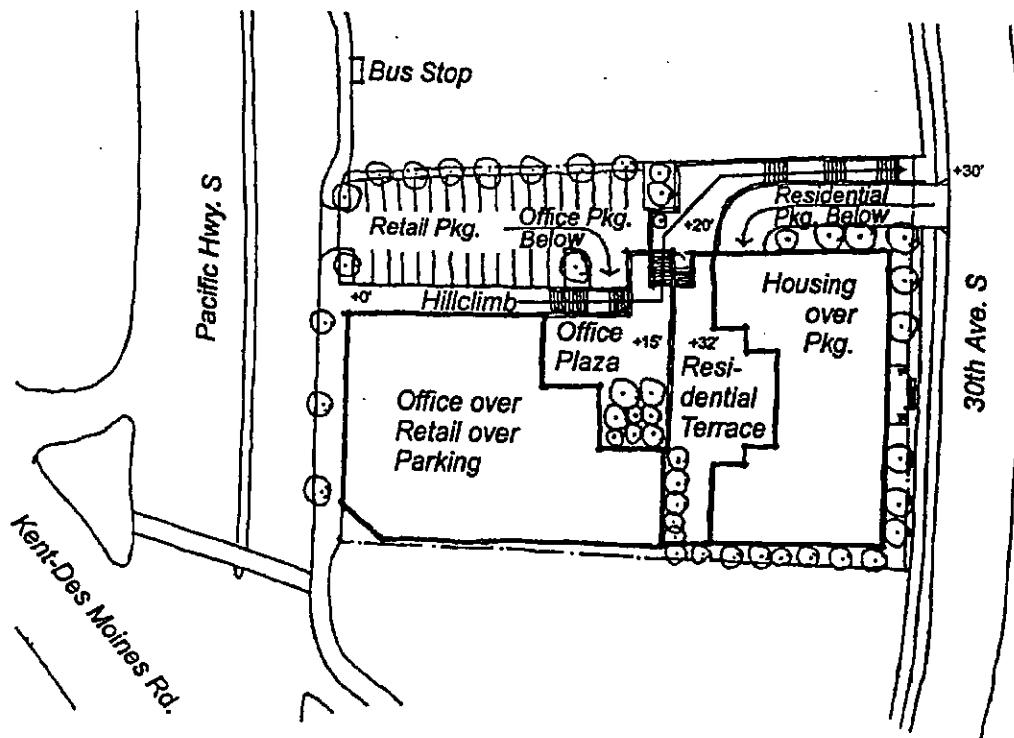


Figure 1.H.3: Site concept with hillclimb between Pacific Highway S and 30th Avenue S

4. **Pedestrian movement shall be supported between properties and from private property to public rights-of-way by providing facilities that traverse natural or man-made barriers, where appropriate.**

Incorporate the following in site design where connections between sites are desirable:

- a) Provide gates in fences to facilitate movement between sites.
- b) Provide steps, ramps, or a combination of the two where grades prohibit easy and/or safe movement.

5. **Direct pedestrian walkways from businesses in commercial areas to transit stops shall be provided. Additional transit amenities should be provided, where appropriate and feasible.**

Provide access from adjoining and nearby residential and commercial properties to transit facilities where feasible, and where it meets the needs of the project applicant.

Where security problems exist, consider the following:

- a) Through-site access may be separated from the rest of the site with a fence; and/or
- b) Access may be controlled after business hours and during evenings if necessary for security reasons. Signs should be posted to indicate when hours of access are limited.

As an incentive, improvements for transit riders will be considered in partial fulfillment of landscape requirements, in conjunction with overall design review approval. Transit riders typically need:

- a) Extra space for waiting areas;
- b) Walkways from transit stops to building entrances; and/or
- c) Pedestrian amenities, such as seating, weather protection and trash receptacles.

I. Pedestrian Amenities

Intent

- To encourage and support a high level of pedestrian activity in the Pacific Ridge area.
- To create and support a pleasant, comfortable, convenient environment for the pedestrian, cyclist and disabled throughout the Pacific Ridge area.
- To provide a variety of pedestrian-friendly areas that are attractive to employees and shoppers and residents.
- To improve the visual appearance of the Pacific Ridge area.

Guidelines

1. **Pedestrian amenities shall be incorporated into site design for commercial and mixed-use developments to increase the utility of the site and enhance the overall pedestrian environment in the Pacific Ridge area.**

Pedestrian amenities increase the utility of a site and enhance the overall pedestrian environment. This in turn increases the attraction of commercial areas for shoppers, and improves access for those not arriving by car, including walkers, cyclists and transit users. They may be beneficial for safety reasons, and may contribute to pedestrian comfort and convenience.

The following should be taken into consideration in locating pedestrian amenities and services:

- a) Pedestrian traffic flow, and access to business entries and other destinations.
- b) Wind, traffic, and unpleasant sun or shade conditions.
- c) Convenience for business customers and employees.
- d) Access for those with special needs, such as the elderly, children, and the disabled.
- e) Automobile door swings and overhangs.
- f) Pedestrian safety.

Pedestrian amenities should also not be located in such a way that pedestrians are likely to walk through landscaped areas or unsafe areas to access them.

The following is a list of pedestrian amenities for commercial and mixed-use developments that can be used to meet the intent of the guideline:

- a) Site furnishings such as seating, tree grates, drinking fountains.
- b) Pedestrian weather protection, such as awnings, canopies, marquees, or building overhangs. (Note: To be effective, the coverings should not be higher than approximately 15 feet nor lower than 8 feet.)
- c) Attractive signage, oriented towards pedestrians (see Guideline 4.B.1. in "Sign Placement").

- d) Attractive window displays, outdoor display areas, vending of food and flowers, or permanent or temporary dining near building entrances.
- e) Artwork, fountains, and other attractions.
- f) Conveniences such as trash receptacles and mailboxes. (However, do not install mechanical vending machines, such as food and beverage machines, outdoors.)
- g) Decorative screen walls, murals, and other building or site features.
- h) Light fixtures and lighting oriented towards pedestrians and/or highlighting landscaping or building features.
- i) Bike racks with weather protection.
- j) Special paving in pedestrian oriented areas.
- k) Landscape features such as hanging flower baskets, planters with seasonal displays, and trellises.
- l) Use of architectural details and quality materials at street level, including brick and windows with mullions and trim.
- m) Other features that promote pedestrian activities.

Note: The following pedestrian amenities are required for commercial or mixed-use development by these design criteria: landscaping or pedestrian-oriented space; sidewalks to and between buildings; pedestrian friendly facades on buildings; and prominent building entries that are visible from public sidewalks and parking areas. They are discussed in greater detail in guidelines under 2.D., "Pedestrian-friendly Features" and under 1.J., "Pedestrian Connections."

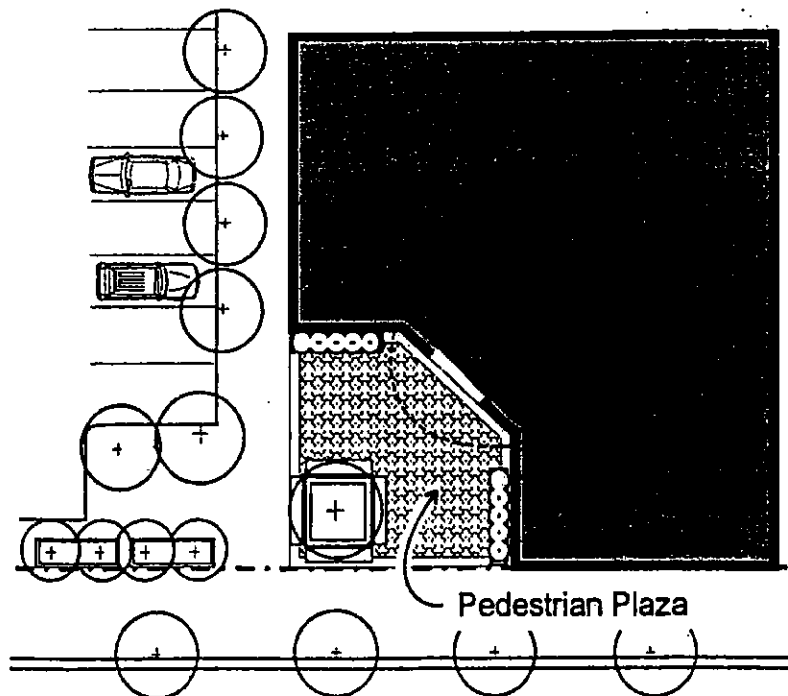


Figure 1.1.1a: Plan of a pedestrian plaza with landscaping, seating and weather protection

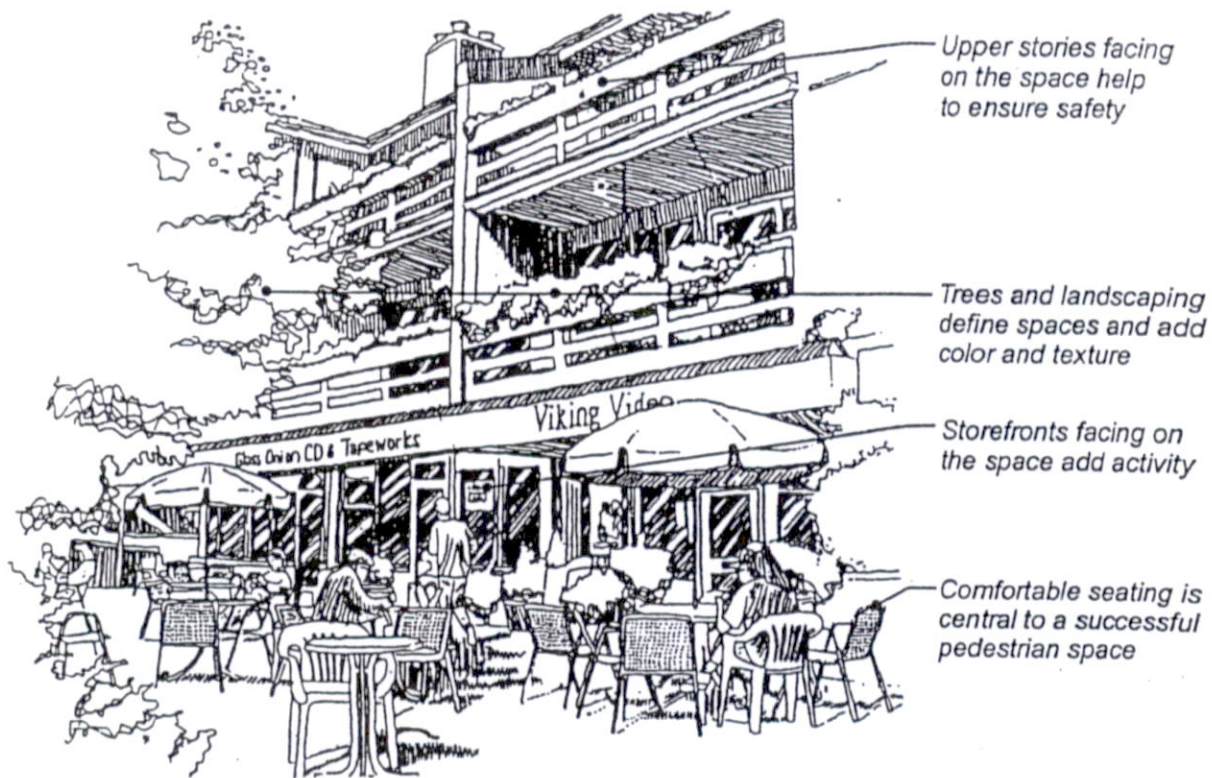


Figure 1.1.1b: Example of amenities and features of a successful pedestrian-oriented space

J. Open Space

Intent

- To provide inviting, well-designed outdoor spaces in residential developments.

Guidelines

1. New residential development shall conform with the requirements of Chapter 18.45, DMMC, "Multifamily Recreational Areas."

2. Residential buildings shall be organized and sited to create usable open space.

Design outdoor space to be inviting and promote contact among neighbors and provide security and privacy for individual units.

Open spaces shall be oriented to take advantage of views and sunlight. When possible, orient outdoor courtyards, terraces, and gardens to face west, east, or preferably south. Use deciduous trees to permit sunlight penetration in the winter and shading in the summer.

If possible, incorporate the open space into the architectural concept (see Guideline 2.A.1.) and/or spatial layout of residential units.

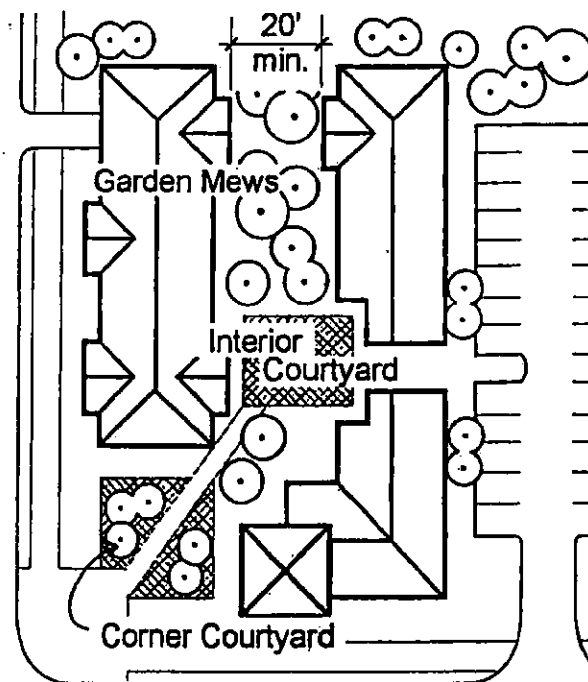


Figure 1.J.2: Example of a residential or mixed-use site plan with a variety of open spaces

K. Site Design for Safety

Intent

- To ensure that site design promotes personal safety and property security.
- To ensure that the night-time environment is safe and inviting.
- To ensure that lighting does not interfere with other site functions.
- To ensure that landscaping does not compromise site lighting and visibility.
- To encourage selection of plant materials based on site security needs.

The guidelines incorporate the following four concepts from *Crime Prevention Through Environmental Design* (CPTED):

1. *Natural Surveillance.* A design concept directed primarily at keeping intruders easily observable. Promoted by features that maximize visibility of people, parking areas and building entrances: doors and windows that look out on to streets and parking areas; pedestrian-friendly sidewalks and streets; front porches; adequate nighttime lighting.
2. *Territorial Reinforcement.* Physical design can create or extend a sphere of influence. Users then develop a sense of territorial control while potential offenders, perceiving this control, are discouraged. Promoted by features that define property lines and distinguish private spaces from public spaces using landscape plantings, pavement designs, gateway treatments, and “CPTED” fences.
3. *Natural Access Control.* A design concept directed primarily at decreasing crime opportunity by denying access to crime targets and creating in offenders a perception of risk. Gained by designing streets, sidewalks, building entrances and neighborhood gateways to clearly indicate public routes and discouraging access to private areas with structural elements.
4. *Target Hardening.* Accomplished by features that prohibit entry or access: Window locks, dead bolts for doors, interior door hinges. Presented along with each of these CPTED strategies are guidelines which, as a homeowner, builder or remodeler, you can apply to reduce the fear and incidence of crime and improve the quality of life.

Guidelines

1. **Structures shall be designed and sited to maximize site surveillance opportunities from buildings and public streets.**

Incorporate the following methods to increase personal safety and security, where appropriate:

- a) Avoid site and building design features that create entrapment and concealment areas (e.g. tunnels, long corridors, opaque fences) in locations with pedestrian activity.
- b) Ensure that site and building provides sight lines that allow observation of outdoor on-site activities by building occupants and passersby.

- c) Site buildings so that windows, balconies and entries overlook pedestrian routes, vehicular circulation routes, and parking areas and allow for informal surveillance of these areas, where possible. 'Do not construct balcony railings more than 42 inches high or of opaque materials.
- d) Locate, design, and illuminate building entries and pathways to building entries to be visible by residents and, if possible, neighbors.
- e) Provide windows to occupied spaces on all facades where visibility to open spaces improves security.

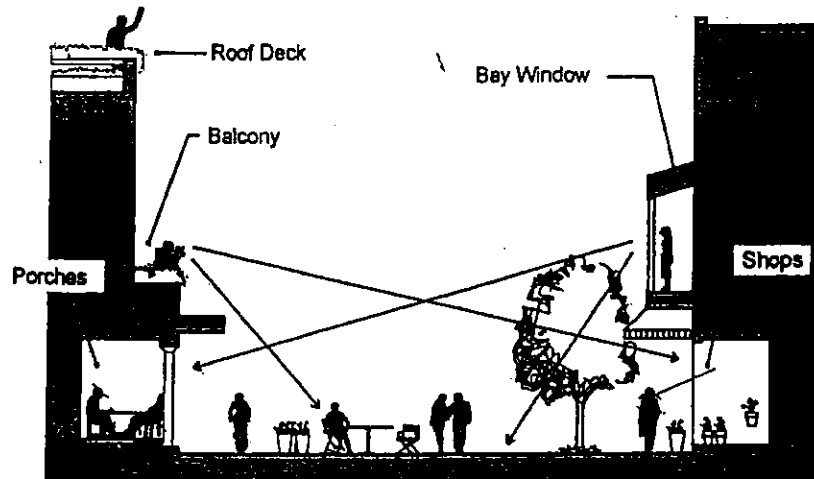
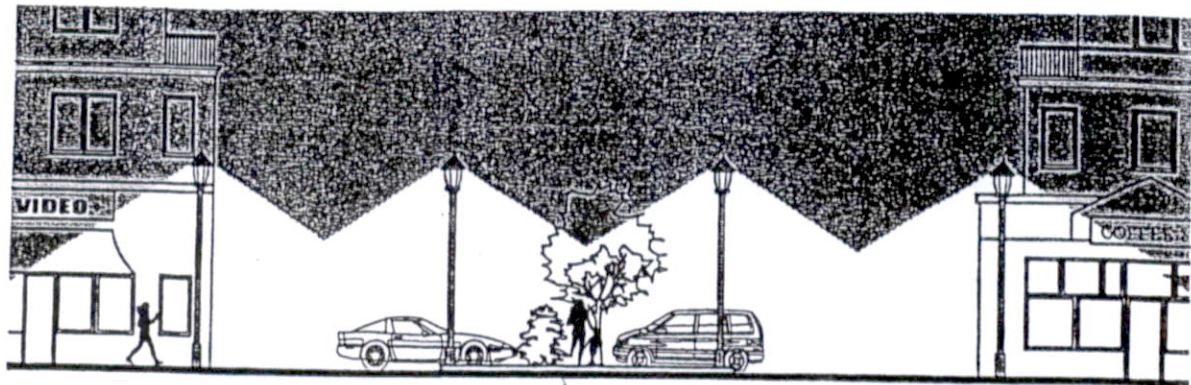


Figure 1.K.1: "Eyes on the street" or common public places create a safer environment

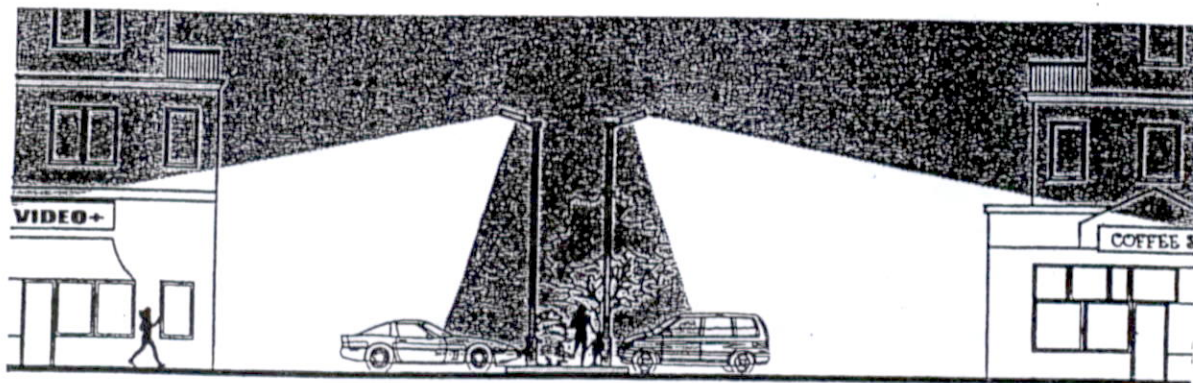
2. Adequate lighting levels shall be provided in all pedestrian areas, including building entries, along walkways, parking areas, and other public areas.

Include the following in lighting plans:

- a) Provide an overlapping pattern of light at a height of about 7 feet in lighted areas.
- b) Provide lighting at consistent lumens with a gradual transition to unlighted areas. Avoid creating highly contrasting pools of light and dark areas, which can be temporarily blinding.
- c) Provide at least 2 foot-candles at building entrances and primary pedestrian walkways, and at least 1 foot-candle in parking areas. (See also "e" below.)
- d) Provide lighting at all building entrances, exits and corridors between buildings, especially where doors are recessed.
- e) Design lighting levels so that pedestrians can identify a face 15 yards away, in order to reduce anonymity and to give pedestrians the opportunity to choose another route if they feel unsafe.
- f) Ensure that site lighting is confined to the project site and does not cause glare on adjacent properties.
- g) Place posts and standards so that they do not create hazards for pedestrians or vehicles.



DO THIS



DON'T DO THIS

Figure 1.K.2: Examples of good and bad lighting design

3. Landscaping and fences shall be designed so that plant growth will not interfere with site lighting and surveillance.

Include the following in lighting plans to provide for compatibility of landscaping with site lighting:

- a) Ensure that the type and placement of light fixtures in the landscape will allow for achieving site lighting guidelines established in the previous section (Guideline 1.K.2).
- b) Space landscape elements to allow for long-term mature growth without interfering with site lighting and select plant species considering long term growth characteristics; or
- c) Select shrubs to allow for adequate visibility (approximately 3 feet in height maximum). Limb trees to a height that allows visibility under them (approximately 6 feet minimum).
- d) Do not obscure windows and entries with plant materials
- e) Do not construct fences that prevent visibility of the front yard or building entry from the street.

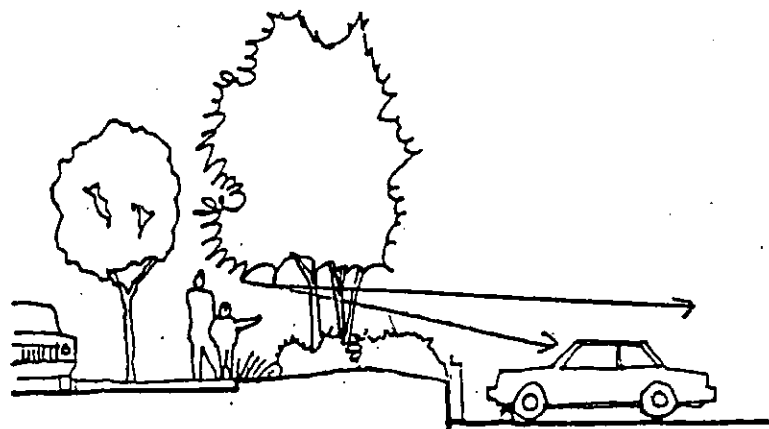


Figure 1.K.3a: Low bushes and trimmed street trees effectively screen parking, yet still allow views into site

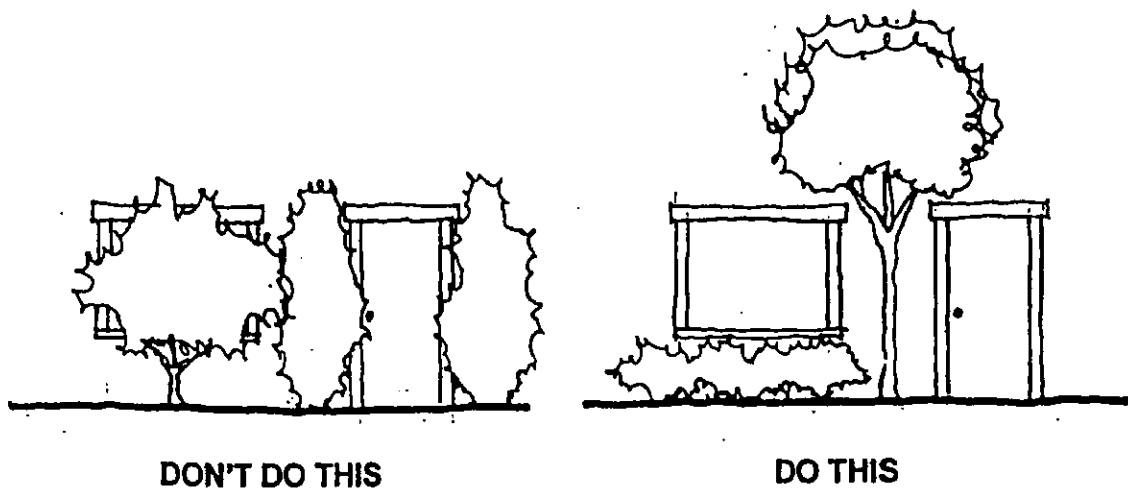


Figure 1.K.3b: Plantings too close to windows and entries can conceal criminal activity

4. Buildings, site features, and fences shall be arranged so that entrapment areas are not created.

Avoid blind alleys or dead-end lots, where people may become trapped with no place of refuge or escape. If dead-end spaces are essential, then secure them with a gate and automatic lock.

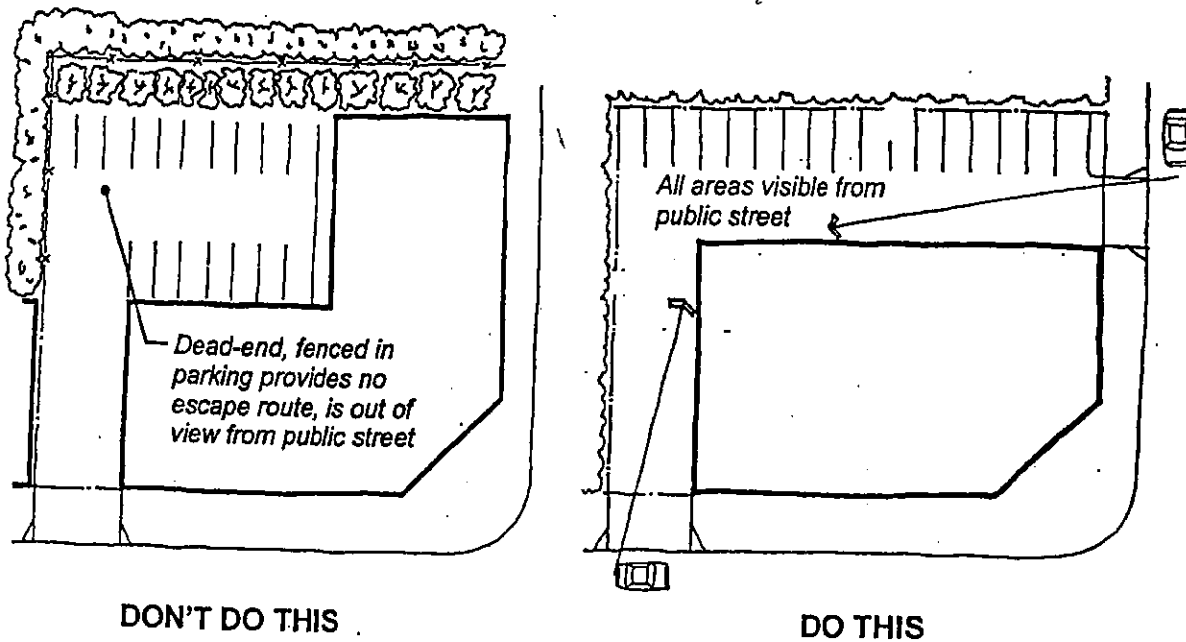


Figure 1.K.4: Avoid entrapment areas

5. Site and building design features to increase security shall be employed where applicable.
- Clearly designate visitor parking.
 - Define entrances into parking lots with landscaping.
 - Do not cover more than 15 percent of window areas with signs.
 - Mark property borders with hedges, low fences, and/or gates.
 - Ensure that pay telephones are call-out only.

L. Siting and Screening for Service Areas

Intent

- To minimize the visual presence of service areas for businesses, customers and surrounding property owners.
- To minimize potential conflicts between users of service areas, customers and surrounding property owners.
- To ensure continued access to service areas.

Guidelines

1. The visual and aural impacts of service areas such as loading docks, trash and recycling collection points, and utility maintenance areas shall be minimized through site design, landscaping and screening.

Service areas include, but are not limited to, trash dumpsters, compactors, ground level mechanical equipment, utility vaults, loading zones, outdoor storage areas, trash and recycling areas, and other intrusive site features.

Locate service areas so that negative visual and auditory (noise) impacts on the street and adjacent properties are minimized.

Avoid siting utility equipment where it displaces significant landscaping, or where servicing the equipment would damage landscaping. Provide access to equipment that requires regular servicing.

Screening enclosures, walls and fences shall be architecturally integrated with the development's architecture.

Provide sufficient landscaped screening around service areas, integrating landscaping with other site and adjacent public landscaping, where possible. However, do not create security hazards by providing a blind spot or hiding area.

Note: See Zoning Code for screening requirements for trash and recycling areas.

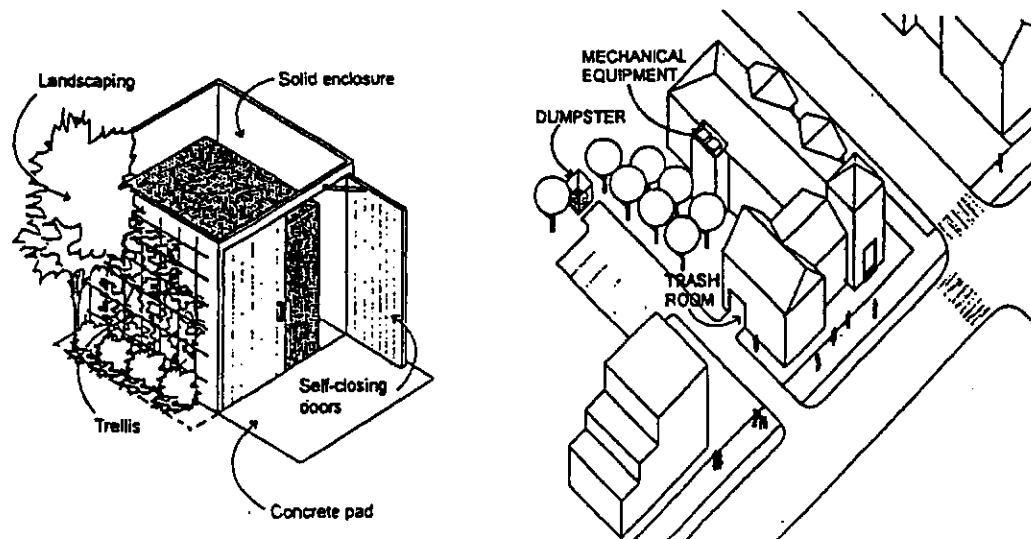


Figure 1.L.1: Effective service element screening and siting examples

2. BUILDING DESIGN

A. Architectural Concept

Intent

- To encourage building design in which the organization is easily understood, is appropriate to the site, and that becomes a positive element in the architectural character of the Pacific Ridge area.
- To encourage creative, yet functional, architectural design and site organization. (Note: Other building design guidelines in this Manual address specific building elements or specific aspects of building form)
- To encourage the development of a strong architectural concept on sites with multiple buildings.
- To encourage the use of forms, elements and materials that provide visual interest and human scale in new buildings.

Guidelines

1. **An architectural concept that conveys a cohesive and consistent thematic or stylistic statement, and is responsive to the functional characteristics of the development shall be developed for structure(s) on the site.**

Projects shall provide a strong unifying concept, clear organization, and a consistent architectural character.

The architectural forms, elements and details of a project should be organized to express the building's function(s), orientation, and relationship to the site and surrounding area. A strong architectural concept will indicate this organizational scheme, and convey the project's architectural character, or the style or character of the development.

The following examples illustrate ways in which architectural forms, elements and details may be organized, which is fundamental to the development of a strong architectural concept.

Building Composition. The composition of a building's larger masses and elements can create a unifying concept. The two types of composition (or design) illustrated below are symmetry and asymmetry. Building forms and facades may also be organized around an axis or approach, in a linear fashion, or on a grid. There are many types of organization; the importance of the organization is that it is clear, appropriate to the building's function, and its context.

Organization in Relationship to an Exterior Space. Organization in relationship to an exterior space is another approach to establishing a strong architectural concept. For example, buildings may be oriented around a courtyard, be terraced down a hillside, or respond in design to a prominent corner location.

Building Elements. Building elements, such as distinctive roof forms, entrances, an arcade or porch, or the arrangement of doors and windows, can provide for compositional unity and convey a strong architectural concept.

Building Details. Building details, such as moldings, mullions, rooftop features, and materials, can display a distinctive architectural style, contributing to a strong architectural concept.

Human Scale. Both large and small buildings should relate to and express the scale of their human inhabitants. Even large buildings created to shelter automobiles or other non-human forms should exhibit design elements expressive of human scale.

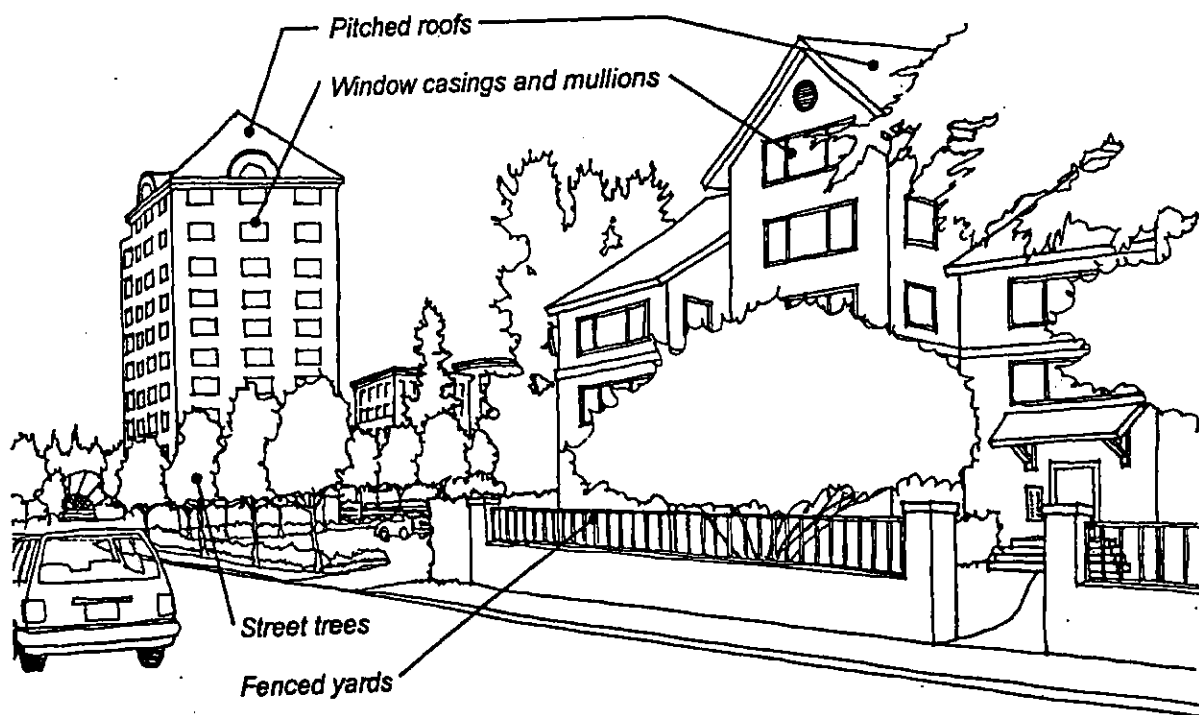


Figure 2.A.1: Building composition, elements, material and details all convey a strong residential architectural concept in these buildings and grounds

2. **Development on sites with more than one structure should employ similar or complementary architectural styles and/or be related in scale, form, color, and use of materials and/or detailing.**

Projects with multiple structures are required to display a unifying concept or design elements or features that relate the structures to one another. This may be expressed in the building forms or stylistic devices such as architectural style, color, materials and/or detailing.

3. **Buildings shall not feature strong corporate identifying elements, such as distinctive roofs or corporate logos, that are not compatible with neighboring buildings or these guidelines.**

"Stock" building designs that are not adapted to local conditions are not permitted. In general, the compatibility of a building with its surroundings is a higher priority than extending a corporate image. Therefore, the City may require modifications to proposed building designs that emphasize a corporate identity or signage.

B. Architectural Relationships

Intent

- To reinforce the positive visual qualities of the Pacific Ridge area.
- To support the development of a new architectural context in the Pacific Ridge area, where appropriate.
- To ensure that new development is in keeping with the existing architectural context, when neighboring structures provide positive examples.
- To encourage new development that incorporates design features that establish a scale compatible with the desired character of the Pacific Ridge area.

Guidelines

1. **Visual and functional continuity shall be provided between the proposed development and neighboring structures when these structures demonstrate an appropriate level of architectural quality.**

Once a architectural context is established, new structures can be designed to 'fit in' through careful attention to placement on the site, building form, order massing, scale, roof form, the proportions and arrangement of openings - windows, doors, entries, arcades - architectural elements, materials, colors, and decorative details.

Projects are expected to exhibit a high degree of design quality that can be emulated in the future. Development proposals will generally be considered on a site-by-site basis for compatibility with the existing and planned built environment.

2. **The apparent scale of large buildings shall be moderated.**

Buildings over 100 feet in length (as measured along any facade) and/or more than three stories high must employ three or more of the following measures to reduce apparent building mass:

- a) *Modulation:* Building modulation is the stepping out or in of a particular portion of the facade. The stepped-out portions must be at least 4 feet deep in order to qualify as modulation.
- b) *Articulation:* Strong vertical and horizontal reveals, off-sets, and three-dimensional detail can be incorporated into building design to create shadow lines and break up the flat surfaces of a facade. Articulation can also be achieved through a change of materials, color and/or texture.
- c) *Special Building Features:* The mass of long or large-scale building can be made more visually interesting by incorporating architectural elements such as arcades, balconies, bay windows, dormers and columns.

- d) *Small-Scale Additions*: Small-scale additions to a structure can reduce apparent bulk by articulating the overall form or massing. Clustering smaller uses and activities around entrances on street-facing facades also allows for small retail or display spaces that are inviting and add activity to the streetscape.
- e) *Terracing*: Setbacks to upper stories can be effective at reducing the perceived scale of the building from the street and sidewalk. Terracing also will allow for more sunlight to reach the street and sidewalk. Upper story setbacks must be at least 10 feet and occur no higher than the building's third floor to qualify as terracing.
- f) *Distinctive Roofline*: A distinctive roof line (particularly a sloped roof) can reduce perceived building height and mass, increase compatibility with smaller scale and/or residential development, and add interest to the skyline. The roofline can provide variation through design elements such as pitch, variation in materials, and vertical/horizontal offsets.
- g) *Other Methods*: Other methods that meet the intent of this criteria may be proposed.

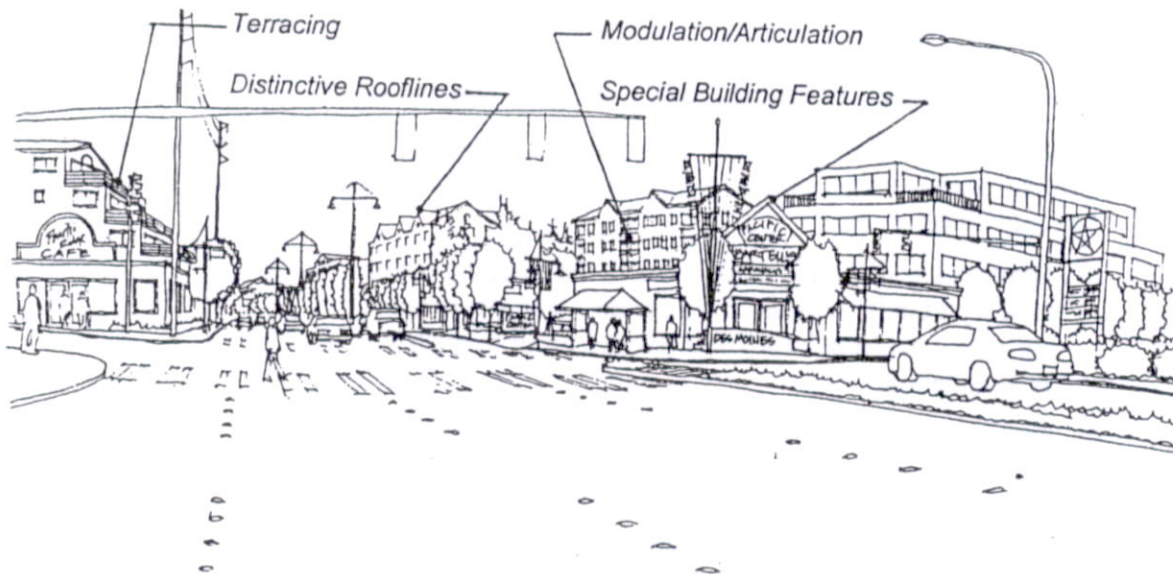


Figure 2.B.2: Varied rooflines, modulation of form, articulation of facades and terracing are all used to reduce the apparent bulk of buildings in this view of potential development on Pacific Highway S

3. The visual impact of parking garages shall be minimized.

Parking structures shall include active uses such as retail or other appropriate uses at the ground level along the street frontage.

Parking structures shall be architecturally consistent with exterior architectural elements of the primary structure, including roof lines, façade design, articulation, modulation and finish materials. Visually integrate parking structures with adjacent buildings when they exhibit an appropriate level of architectural quality.

Buildings built over parking should not appear to "float" over the parking area, but should be linked with ground-level uses or screening. Parking at grade under a building is discouraged unless the parking area is completely enclosed within the building or wholly screened with walls and/or landscaped berms.

Parking structures and vehicle entrances should be designed to minimize views into the garage interior from surrounding streets. Methods to help minimize such views may include, but are not limited to landscaping, planters and decorative grilles and screens.

Security grilles for parking structures shall be architecturally consistent with and integrated with the overall design. Chain link fencing is not permitted for parking structure fencing.

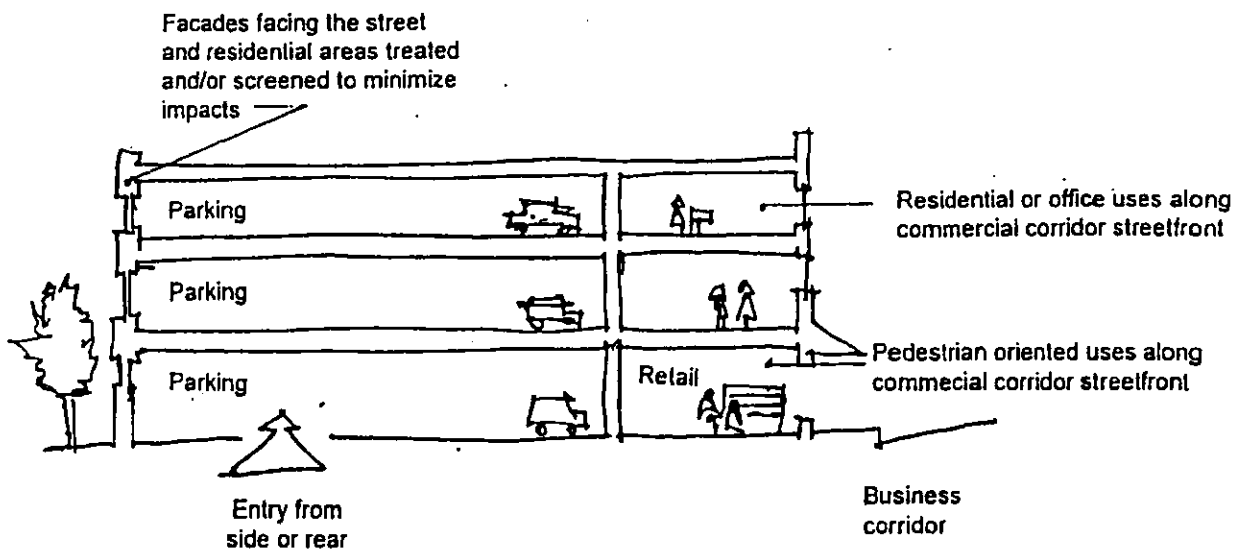


Figure 2.B.3: This schematic section shows how parking structures can be unobtrusively incorporated into a new development

4. Viewsheds (see definitions) from neighboring structures and properties shall be considered in the design of new buildings.

Efforts shall be taken to minimize negative view impacts resulting from new development. For example, where one large building may completely block one property's view of the Olympic or Cascade Mountains or Puget Sound, alternate building placements or terracing may substantially reduce viewshed impacts.

C. Building Elements, Details, and Materials

Intent

- To ensure that buildings take advantage of these prominent locations by incorporating unique, distinctive architectural features.
- To emphasize important intersections.
- To add visually interesting, identifiable elements to the streetscape.
- To provide a clear, understandable relationship between the overall massing of the building and its architectural elements and details.
- To employ architectural elements and details that reduce the apparent scale of a building, where this is desirable (see also Guideline 2.B.2 in "Architectural Relationships").
- To provide for 'human scale' in building design.
- To promote building design in which details are proportionate and consistent in architectural character with the structure and/or development.
- To minimize maintenance needs and discourage vandalism.
- To employ lighting as a positive feature that contributes to the overall design of the building.

Guidelines:

1. **Distinctive building corners shall be provided at street intersections through the use of special architectural elements and detailing, and pedestrian-friendly features where possible (see definition of pedestrian friendly façade).**

Buildings at intersections are highly visible and present an opportunity for distinctive or landmark architectural treatments. Take advantage of these locations by employing three or more of the following for commercial and mixed-use structures and two or more for single-purpose residential structures:

- a) Project, recess ('notch') or truncate the corner of the building.
- b) Provide a building entrance at the corner.
- c) Create architectural emphasis with a roof deck, balcony, or penthouse on the upper story.
- d) Provide a corner architectural element such as a bay window, turret or pediment.
- e) Employ distinctive signage at this location.
- f) Provide sculpture or other artwork, or a distinctive use of materials.
- g) Create a special window treatment, awning, or canopy.

Other methods that meet the intent of this criteria may be proposed.

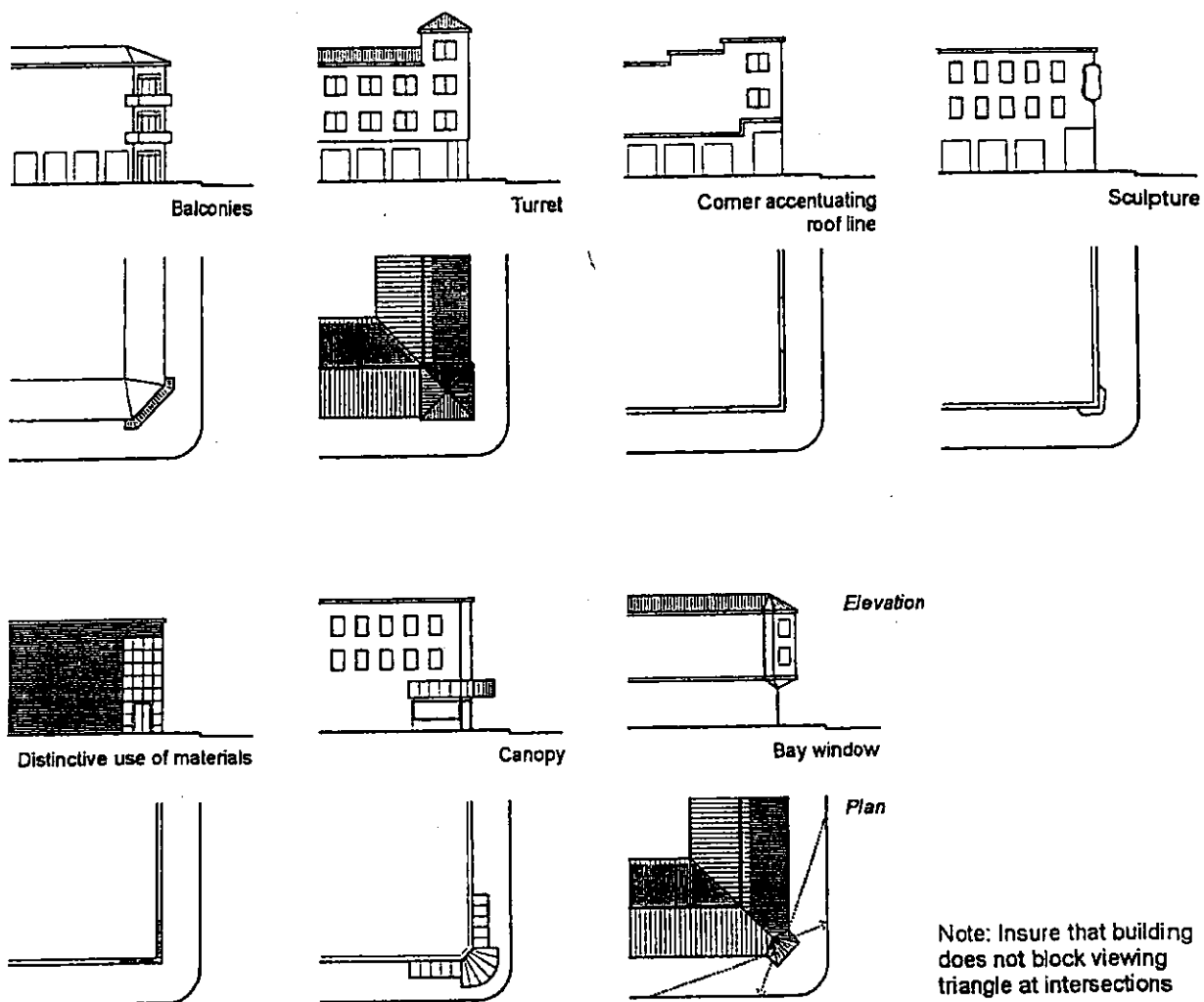


Figure 2.C.1: Various architectural techniques for enhancing building corners

2. The design and scale of building elements and details shall relate to the building's overall form and massing.

The architectural 'parts' of a building must be related to the 'whole.' Appropriately scaled and well-proportioned architectural elements such as roof forms, entrances, arcades, porches, columns, dormers, doors and windows reduce the apparent scale of a structure, and help relate the scale of a building to its user.

Proposals must demonstrate that the elements of a building are related in scale, proportion and placement to the overall building form. Architectural details must also be related in scale, proportion and placement to the building's architectural elements or features. One way to accomplish this is to consider the building's basic structural elements as creating a set of dimensional modules that proportionally tie the various elements together.

Avoid add-on elements and ornamentation that are not consistent with the building's form or function. For example, unopenable, fake shutters and fake balconies that do not provide space for humans are discouraged.

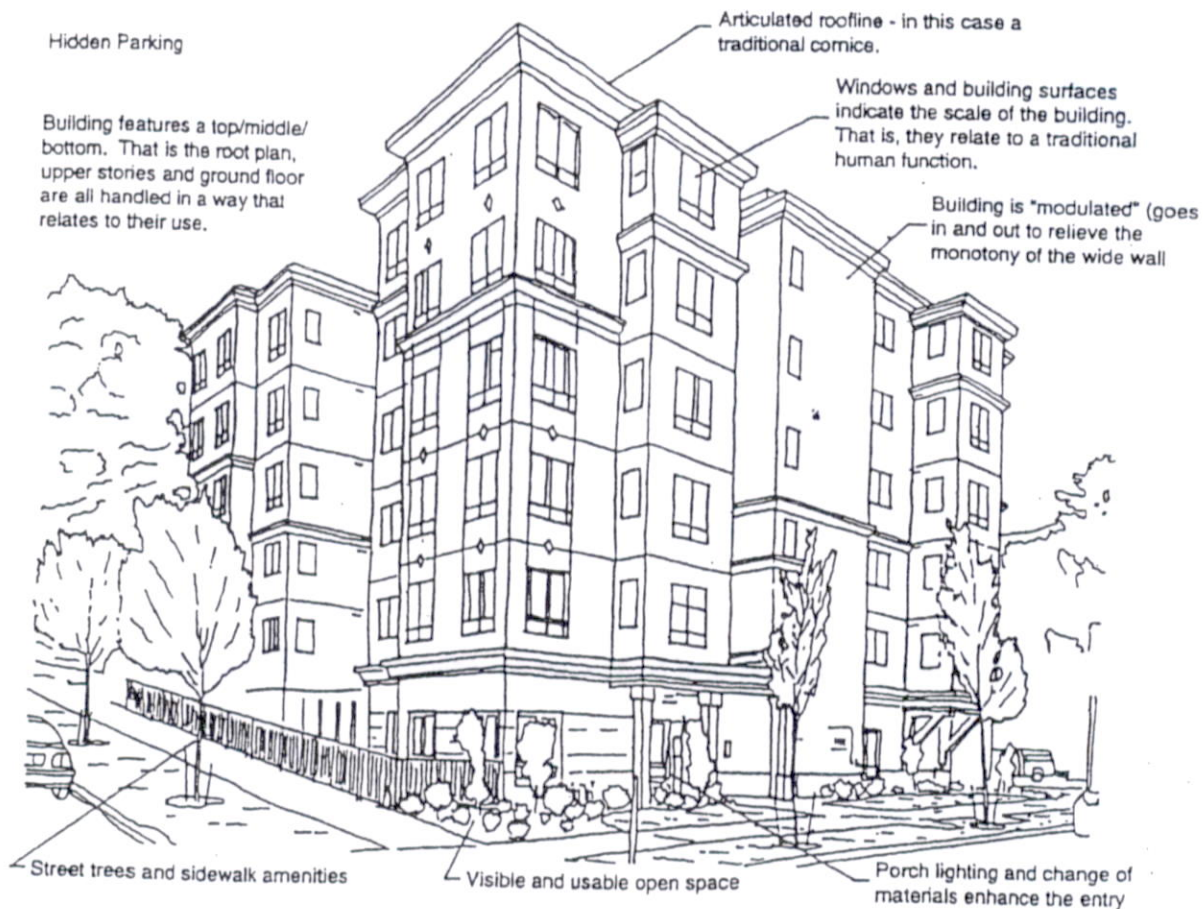


Figure 2.C.2: Illustration of some design features of a "decorated-block" building

3. Architectural details that are appropriate to the architectural character of the building shall be employed.

Appropriate architectural details are just as important as architectural elements in conveying the purpose and character of a building. For example, finely wrought moldings would be out-of-place on an aggregate finish, concrete building panel. Similarly, a metal industrial door would be inappropriate as an entry to a traditional, wood-frame retail storefront.

Building details, from doors, windows and spandrel panels to moldings, mullions, coping, reveals, and other decorative features, must be consistent in style and compatible in material, color and texture with the other details of the building.

Avoid falsely historical or incongruous elements. For example, a "mansard" roof or wrought iron members are generally not appropriate on contemporary buildings.

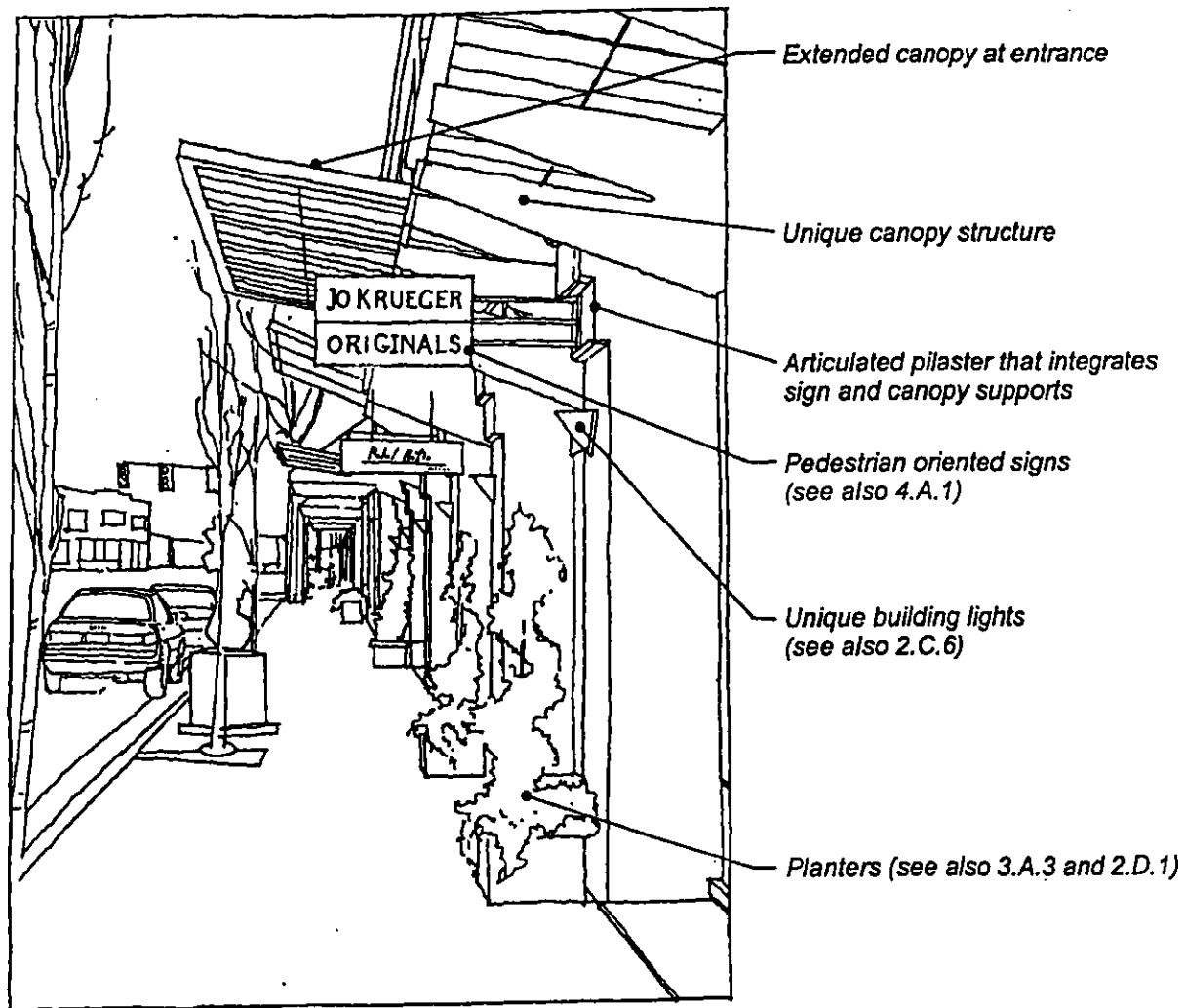


Figure 2.C.3: Examples of the use of appropriate architectural elements and details. Note how the details complement one another and create a pedestrian scaled sidewalk space.

4. Architectural details that provide good human scale and add visual interest to the façade shall be employed.

All new buildings and major exterior remodels must employ at least two of the following elements or techniques toward achieving a "human scale" (*see definition*). If a proposed building is over 3 stories in height, or more than 100' wide as measured along any facade facing a street and visible from that street, then building shall use at least three of the listed elements.

- a) Balconies or decks in upper stories, at least one balcony or deck per upper floor on the facades facing streets. Balconies are encouraged to be at least six feet deep and ten feet wide.
- b) "Bay windows" (*see Definitions*) that extend out from the building face.
- c) At least 150 SF of "pedestrian-oriented space" (*see Definitions*).
- d) Individual windows, generally less than 32 square feet per pane and separated from other windows by at least a 6-inch molding.
- e) Gable or hipped roof, providing that the hipped or gable roof covers at least one half of the building's footprint and has a slope greater or equal to 3 feet vertical in 12 feet horizontal.
- f) A porch or covered entry.
- g) Spatially defining building elements that define an occupiable space such as a trellis, overhang, canopy or other.
- h) Upper story setbacks, providing one or more of the upper stories are set back from the face of the building at least 10 feet.
- i) Composing smaller building elements near the entry and pedestrian-friendly street fronts of large buildings.
- j) Other design methods proposed by project applicant. The City may consider other methods to provide human scaled elements not specifically listed here. The proposed methods must satisfy the intent of the design principles.

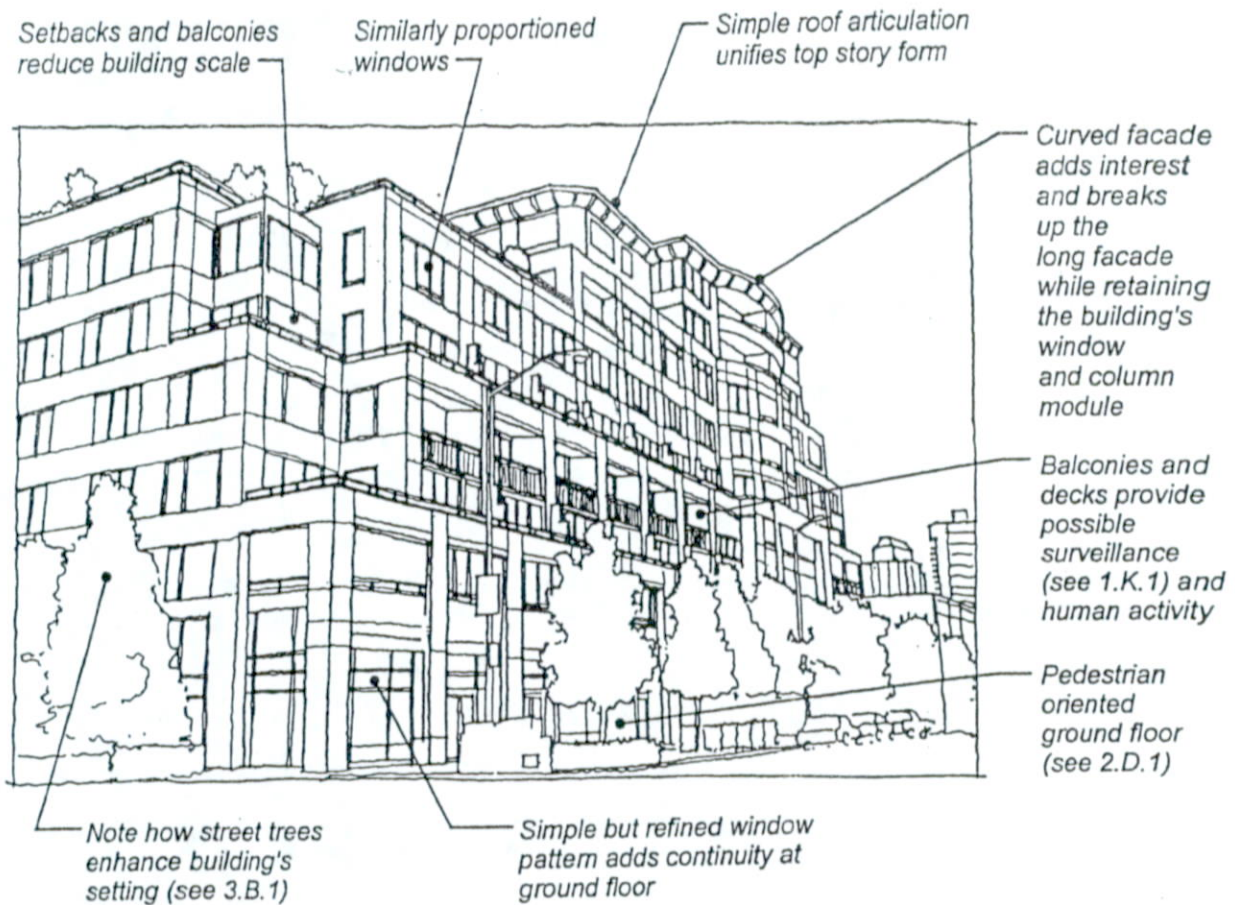


Figure 2.C.4: Consistent and appropriate building details help this large development maintain human scale. Note that the similar proportions and continuous building elements (such as horizontal beams and the break-up of ground floor windows) help to unify the building's architectural composition.

5. **Durable, high quality building materials that contribute to the overall appearance, ease of maintenance, and longevity of the building shall be utilized.**

The selection and use of exterior building materials is a key factor in determining how a building will look. Building materials contribute pattern, scale, color and texture to a structure, and become an important design feature when well used.

Some materials, by their nature, impart a sense of permanence. Others are associated with impermanence, or are inappropriate for certain sites or uses due to their tendency to weather or invite misuse. Building materials should be selected for ease of maintenance and durability.

Examples of common contemporary finishing materials in commercial structures are brick, split-face block, scored or molded wood siding, and stucco-finished dryvit. Other exterior finish materials may be appropriate as well, provided they are well detailed and finished (see also Guideline 2.C.3 in "Building Elements, Details and Materials"). Industrial materials such as concrete masonry block and metal siding should be detailed so that the installation exhibits a high degree of workmanship and durability. Stucco and synthetic building materials should be detailed to avoid damage due to weather or use.

Some materials, such as mirrored glass, plywood, and corrugated fiberglass, are generally impermanent and inconsistent with the character of Pacific Ridge and are prohibited.

6. **The design and placement of exterior lighting shall be integrated with the architectural design and materials.**

Select architectural lighting fixtures that complement the architectural character of a project, or that are understated in design. Alternatively, locate fixtures so that they are hidden from view. Lighting fixtures should also be compatible in design and placement with site lighting and landscape features.

Incorporate lighting design that enhances dramatic or interesting landscape or architectural features, where appropriate, with consideration for both daytime and nighttime viewing.

Illumination levels of at least two (2) foot-candles at the surface of the ground must be provided in pedestrian areas and entries. Area lights should be designed and selected to minimize visibility of the light source or lens.

D. Pedestrian-Friendly Features

Intent

- To make walking to and among businesses and residences in the Pacific Ridge area a positive attractive, engaging experience.
- To encourage a successful neighborhood commercial district along Pacific Highway S, and support an active sidewalk environment.
- To encourage attractive and interesting facades that create visual interest.
- To reduce the negative visual impact of large, undifferentiated exterior building walls that face public areas.
- To provide an inviting, interesting, easily identifiable, and convenient building entries.
- To enhance the pedestrian environment for customers, employees and residents.

Guidelines

1. **"Pedestrian-friendly facades" shall be provided on the ground floor of commercial and mixed-use buildings.**

Building facades that face public streets and entry facades that face parking areas must incorporate two or more of the following measures on the ground floor:

- a) Transparent window areas or window displays along at least half the length of the ground floor facade (windows need not be contiguous).
- b) Sculptural, mosaic or bas-relief artwork along at least half the length of the ground floor facade (artwork need not be contiguous).
- c) "Pedestrian-oriented space," as defined in the Definitions, located adjacent or connected to the sidewalk. At least 500 square feet of pedestrian-oriented space must be provided for every 100 linear feet of ground floor facade, as visible from the public street, in order to fulfill the intent of this guideline.
- d) Overhead weather protection
- e) Other methods that meet the intent of this guideline may be proposed.

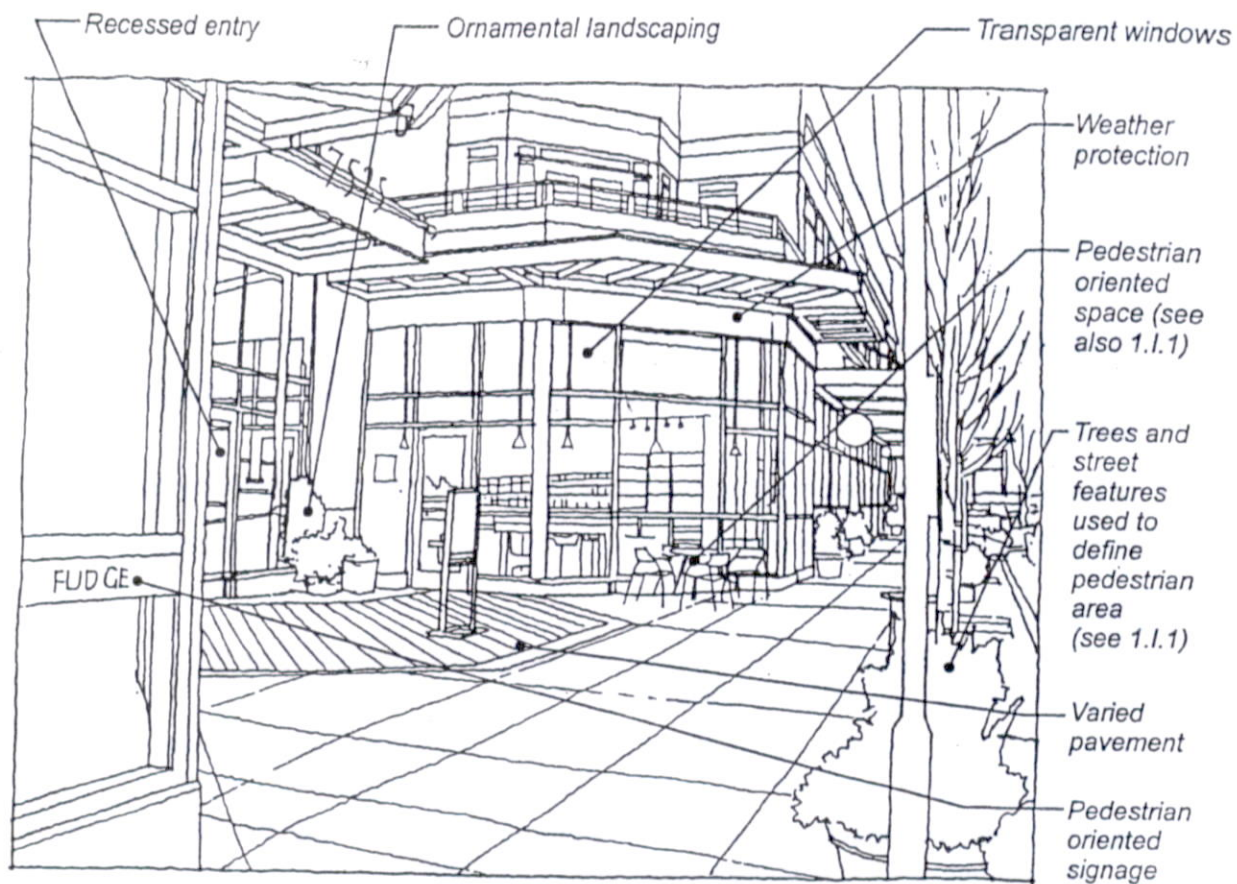


Figure 2.D.1: Pedestrian-friendly ground floor facades keep “eyes on the street” and add interest and life to the streetscape

2. Special treatment for large blank walls (see Definitions) that are visible from pedestrian walkways and parking areas shall be provided.

Incorporate one or more of the following methods to soften the appearance of blank walls that face pedestrian walkways and parking areas:

- a) A vertical trellis in front of the wall with climbing vines or plant materials.
- b) A planting bed, berm, or raised planter in front of the wall and establish plant materials that will obscure or screen a significant portion of the wall's surface within three years.
- c) Artwork (a mosaic, mural, sculptural relief, etc.) over a significant portion of the blank wall surface.
- d) A change of materials or texture in the wall and/or accent with architectural details (see Guideline 2.C.3. in "Building Elements, Details and Materials").
- e) Other methods that meet the intent of this criteria may be proposed.

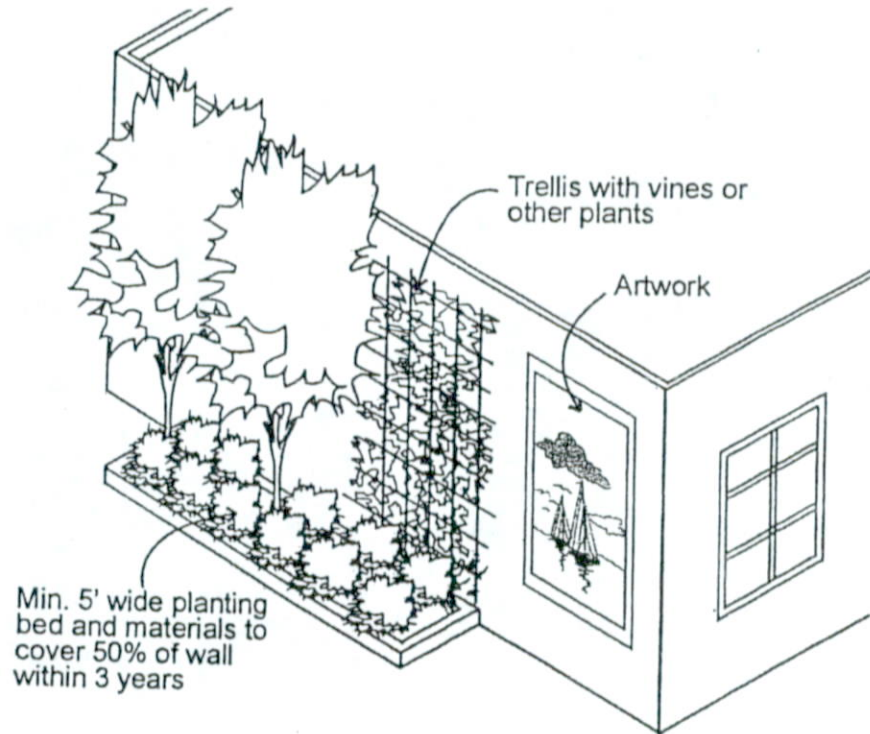


Figure 2.D.2: Example of treatments for blank walls

3. Building entries shall be enhanced through the use of weather protection, landscaping, pedestrian amenities and/or distinctive architectural features.

Incorporate one or more of the following methods to create distinctive building entries:

- a) Weather protection such as an awning, canopy, recessed entry, or other building element to create a covered pedestrian space.
- b) Landscaping (at least 100 square feet) at or near the entry.
- c) Pedestrian amenities such as benches, kiosks, special paving, bicycle racks, etc.
- d) Trellises, planters or other features that incorporate landscaping.
- e) Accent lighting.
- f) Prominent window displays.
- g) Decorative elements such as mosaic tile, relief sculpture, ornamental wood or metal trim, near the door.
- h) Artwork such as sculpture, murals, mosaics or bas-relief.
- i) Pedestrian scaled signs.
- j) Other methods that meet the intent of this criteria may be proposed.

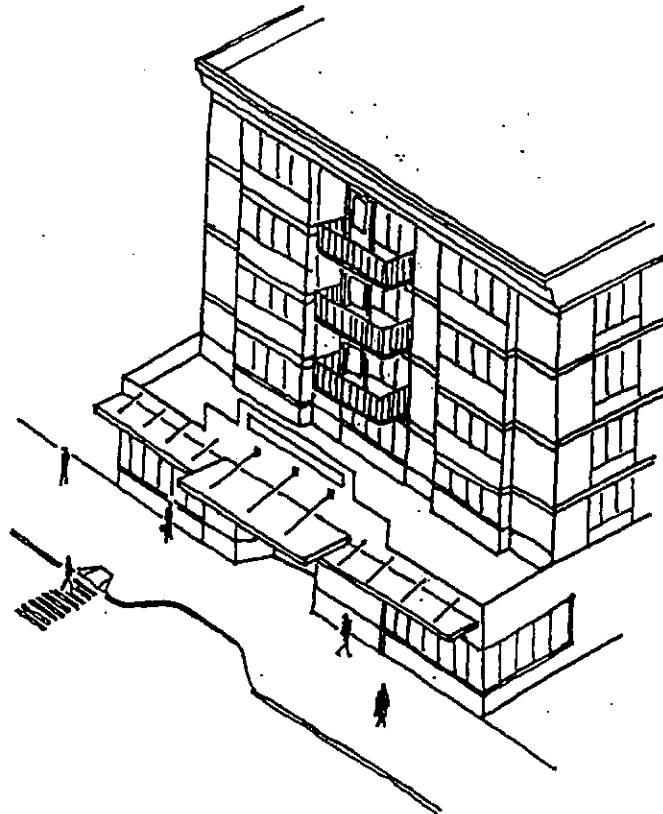


Figure 2.D.3: Weather protection at building entries is an important architectural element (See also Figure 2.D.1.)

E. Mechanical Equipment

Intent

- To minimize the negative visual and aural impact of mechanical equipment and utilities.

Guidelines

1. **Roof-mounted mechanical equipment shall be screened and/or located so they are not visible from public streets, building approaches, and adjacent properties.**

Screen roof-mounted mechanical equipment, including HVAC, antennas, satellite dishes, air vents, and exhaust fans, using one or more of the following methods:

- a) Design the building so that it encloses or surrounds the equipment as an integral part of the building form;
- b) Design screens for the equipment that are compatible with the architectural style of the structure;
- c) Set mechanical equipment back from the parapet so that it is not visible from public rights-of-way, major pedestrian areas, and parking areas.

2. **Utility meters and other ground level utility equipment shall be located and/or screened to minimize visibility from the street.**

Enclose, paint or screen utility boxes, meters, conduit and other elements so they appear to be an integral part of the buildings, incorporate them into landscape elements, or screen them with plant materials.

Locate utility boxes so that they can be maintained or serviced without damage to the landscaping. Narrow pathways or workpads may be installed where necessary to provide access.

3. LANDSCAPING DESIGN

A. Landscape Design

Intent

- To ensure that private landscaping reinforces, complements and enhances public streetscape improvements.
- To reinforce the positive visual elements of the Pacific Ridge area.
- To ensure that landscape design is an integral part of overall site design and reinforces site functions.
- To use landscape design to advantage in the economic revitalization of the Pacific Ridge area.
- To use landscape design to soften the transition between different land uses.
- To ensure that landscape design does not compromise site safety.
- To achieve greater continuity and transition between public streetscape and the private landscape design so that the two appear unified.
- To augment the visual impact of plantings in the public right-of-way.
- To improve the pedestrian environment.

Guidelines

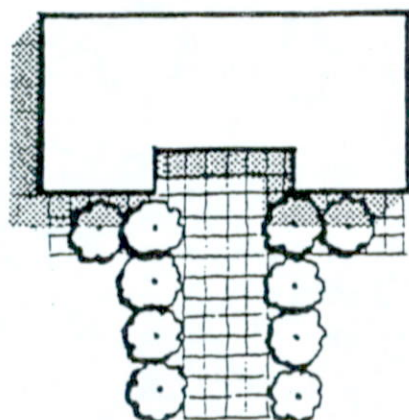
1. **A landscape design concept that demonstrates a clear and appropriate aesthetic statement shall be developed.**

Develop a landscape design concept that is consistent with and complementary to the site design and the development's architectural character. The landscape concept should also complement and enhance natural site features, significant existing landscape elements, or other existing amenities on the site or in the area. A comprehensive landscape concept will:

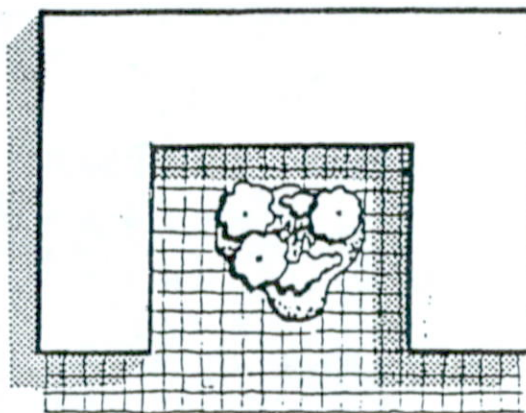
- a) Take advantage of views of the landscaping from inside the building.
- b) Enhance the building itself, as viewed from within the site and adjacent public streets.
- c) Organize, enhance and link the different spaces and activities on the site.
- d) Reinforce the streetscape design, and provides a pleasant transition to the site.
- e) Improve the appearance of parking and vehicular areas.
- f) Screen, soften and frame views.

The following are design approaches that may be considered in developing a landscape concept:

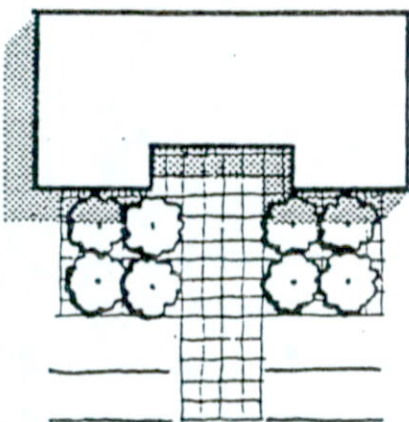
- a) Indicate how the various spaces and plantings on the site are organized, and how movement through the site links the different spaces and activities. Indicate the character of these 'rooms' as determined by the spatial qualities, plant selection and design, and the activities that occur there.
- b) Use plant selection and design to highlight significant site and architectural features on the site, and provide definition between public and private spaces.



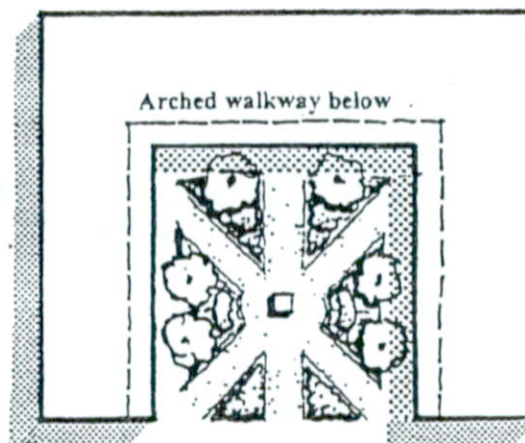
Axial symmetry along a path to enhance a building entry



Informal landscape island to soften open space



Base of trees to separate parking or service yard from building



Formal landscape elements to define pedestrian routes and reinforce building geometry

Figure 3.A.1: Examples of landscape concepts in relationships to building types

2. **A landscape design concept that reinforces site design and fulfills the functional requirements of the development, including screening and buffering shall be developed.**

In addition to aesthetic goals, landscaping can fulfill a number of functional goals for a project. Consider the following in developing the landscape plan.

- a) *Screening*: Landscaping can provide for visual screening of incompatible adjacent land uses or activities. It can also be used to screen service areas or other unattractive site or architectural features. Projects are encouraged in which landscaping is used to break up parking areas and screen parking areas from pedestrian walkways. However, screening should address security concerns and not create areas without passive surveillance (i.e., visibility from occupied buildings or active pedestrian-oriented areas).
- b) *Buffering*: Using landscaping as a buffer can also reduce the impacts of wind, air pollution and noise on a development.
- c) *Safety*: Vertical plantings can be used to 'mark' a pedestrian walkway, making it more visible from parking areas or driveways. Landscape strips can be used to separate pedestrian areas from vehicle areas.
- d) *Framing*: Landscaping can be used to frame and direct views.
- e) *Reducing Impacts of Development*: Retaining existing vegetation can help reduce stormwater runoff and erosion (see Guideline 3.B.2 in "Planting Design").

Note: Refer to Chapter 18.41, DMMC, for minimum landscaping, screening and buffering requirements.

3. **The landscape design shall reinforce and complements plantings in the public right-of-way.**

One of the primary goals of these design guidelines is to improve the pedestrian and visual environment of the Pacific Ridge area. Landscaping can play an important role in meeting this goal.

Projects are encouraged in which a mix of shade trees, shrubs and groundcover is used for every major landscape area on the site.

B. Planting Design

Intent

- To encourage selection of plant materials that will enhance the overall landscape design concept, and provide for variety and visual interest on the site.
- To encourage the use of plant materials that will survive with minimal or reasonable maintenance, are resistant to drought, and are otherwise appropriate for local conditions.
- To conserve and enhance the aesthetic value of the area through the retention of mature vegetation.
- To take advantage of natural drainage and erosion control.
- To minimize maintenance costs.

Guidelines

- 1. Plant materials that reinforce the landscape design concept, and are appropriate to their location in terms of hardiness, maintenance needs, and growth characteristics shall be selected.**

Include a suitable combination of trees, shrubs, groundcover plants, vines, lawns, and herbaceous material, including native and/or northwest adapted plants in selecting plant materials for the landscape concept. Consider the quantities, size, and arrangement of plant materials with the goal of balancing color, mass, texture, form, depth and scale. The following design principles are guidelines for the selection and arrangement of plant materials:

- a) *Unity*: Arrange plants in an orderly composition creating an overall unified and balanced design.
- b) *Focus*: Use planting design to focus attention on positive aspects of the natural and/or built environment.
- c) *Variety*: Select a diversity of plants providing interest, accent and contrast, using as many native and drought tolerant species as possible. Where feasible, coordinate selection of plant material to provide a succession of blooms, seasonal color and a variety of texture.
- d) *Consistency*: Develop a planting design that is compatible with and complements the overall project design, and plantings on adjoining lots, where appropriate.
- e) *Appropriateness*: Select plants with an awareness of their growth requirements, tolerances, ultimate size, preferences for soil and climate and negative impacts. Use xeriscape techniques whenever possible.
- f) *Density*: Provide adequate plant quantity, size and spacing. Planting design should provide for full planting beds within five years.

Note: Plants adjacent to signs shall be selected and maintained to ensure that they do not obscure signs.

2. Existing significant trees, wooded areas, and/or native vegetation should be incorporated in the planting plan when desirable.

Retain existing significant trees and native vegetation on the site, provided that they are healthy and advantageous, given the site and landscape design concept. Measures shall be provided during construction activities to ensure the protection of significant trees and native vegetation.

The maintenance of non-native species (e.g., himalayan blackberries, English ivy, etc.) and insubstantial trees or vegetation is not permitted.

3. Appropriate plants include:

Trees

Eastern Redbud

Cercis Canadensis

"Autumn Brilliance" Serviceberry

Amelanchier x grandiflora

Urbanite Ash

Fraxinus americana

"Arnold" Tulip Tree

Liriodendron tulipifera

Dawn Redwood

Metasequoia glyptostroboides

Western Red Cedar

Thuja plicata

Shrubs/Groundcover

Sweet Fern

Comptonia perigrina

Oregon Grape

Mahonia aquifolium

Salal

Sacred (Heavenly) Bamboo

Nandina domestica

Euphorbia (Spurge)

Euphorbia sp.

Viburnum

Viburnum sp.

4. SIGNS

A. Signage Concept

Intent

- To employ signs as a positive element in site and building design, complementing the streetscape and private improvements.

Guidelines

1. **Signage that is integrated with the architectural concept in scale, detailing, use of color and materials, and placement shall be provided.**

Develop a signage scheme that complements the architecture of the building in design and placement. Ensure that all signs on the site are coordinated, and display similar or complementary design characteristics. The following are suggestions for integrating signage with the architectural concept:

- a) Locate wall signs on specific architectural elements, such as a canopy or fascia.
- b) Provide for sign locations in the building design.
- c) Do not obscure important design features on building facades with signs.
- d) Coordinate color schemes or architectural details on signs, such as moldings, with the architectural scheme.
- e) For freestanding signs, repeat specific architectural features, such as the roof form, materials, colors, etc.
- f) Freestanding signs shall be monument signs rather than pole signs.
- g) Emphasize special building features, such as an entry or display window, with properly scaled signage.

Note: These guidelines are to be used in conjunction with the Des Moines Sign Code; they do not supersede Sign Code regulations.

B. Sign Placement

Intent

- To provide signs that are easy to read for both motorists and pedestrians.
- To provide signage that is properly scaled for the purpose it is to serve, and the context within which it is placed.
- To help create a pedestrian-friendly environment in the Pacific Ridge area.
- To enable customers, suppliers and emergency vehicles to easily find businesses and service areas.
- To coordinate signage with the landscaping.
- To provide a transition from the vertical elements of the freestanding sign to the horizontal site elements.
- To increase visibility of site signage from the public street.
- To place signage where it is unlikely to be damaged by vehicles, and vice versa.

Guidelines

1. **Signage that is oriented to both pedestrians and motorists in design and placement shall be provided.**
 - a) Signs direct users to a site and within the site, and users are typically either driving or walking. Pedestrian-oriented signs are most effective when located within 15 feet of the ground plane. The maximum height of freestanding signs is 12 feet (refer to Sign Code). Three-inch-high letters can be read at 120 feet and six-inch letters can be read at 300 feet.
 - b) Consider the locations of sidewalks, pedestrian walkways and driveways in sign design, placement and illumination (see also Guideline 4.C.2. in "Sign Design").

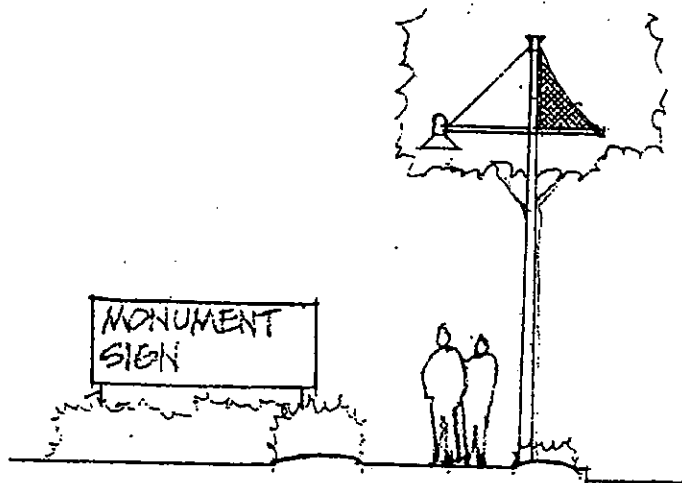


Figure 4.B.1: The Pacific Highway S design concept promotes the use of monument signs that are in scale with the pedestrian environment and visible below the street trees

2. Adequate directional signage on site and building identification numbers that are legible from the street(s) shall be provided.
 - a) Prominently display building address numbers.
 - b) Provide on-site directional signage for vehicle drivers to identify destinations and to avoid conflicts with pedestrians.
3. Freestanding signs shall be integrated with the landscaping.
 - a) Place plantings, including low shrubs, around the base of freestanding signs.
 - b) Plants adjacent to signs shall be selected and maintained to ensure that they do not obscure signs.

C. Sign Design

Intent

- To establish an attractive streetscape and safe conditions.
- To avoid over-illumination of signs, creating a nuisance to surrounding neighborhoods.
- To improve the visual quality of the Pacific Ridge area.
- To encourage use of materials that are easily and inexpensively maintained.
- To improve the attractiveness of development along the Pacific Highway South corridor.
- To prevent poor quality, poorly maintained signs and visual clutter on the highway.

Guidelines

1. **Both day- and night-time viewing shall be considered in the design, placement, and lighting of signage.**
 - a) Sign illumination should be appropriate for its intended purpose.
 - b) In general, direct lighting of signs creates a warmer, more pedestrian-friendly sign illumination; therefore, signs with front lighting and down lighting are recommended for pedestrian oriented signage.
 - c) Back-lighting (internal illumination) generally is more appropriate for auto-oriented signs. Internally illuminated signs shall be constructed using individual letters/characters, or sign cabinets with an opaque field or background so that only the individual letters/characters are illuminated.
 - d) Sign lighting should not cause glare or spillover into neighboring properties. Commercial signage should be placed facing away from residential properties and neighborhoods wherever possible.

Note: See Des Moines Sign Code for restrictions on sign design and placement.

2. **Durable, high quality materials and finishes for signage shall be utilized.**

The following guidelines are to aid in the selection of sign materials:

- a) Construct signs from durable materials and feature high-quality workmanship.
- b) Use borders, reveals, edging or other appropriate methods to prevent weather damage.
- c) Include the sign base and pole, associated lighting fixtures, and color choice as an integral part of a sign's design.
- d) Backlit vinyl sign/awnings shall be prohibited.

DEFINITIONS

Architectural Elements - As used in these guidelines, architectural elements refer to the elements that make up an architectural composition or the building form, and can include such features as the roof form, entries, an arcade, porch, columns, windows, doors and other openings.

'Architectural elements' is used interchangeably with architectural features in these guidelines.

Architectural Character - The architectural character of a building is that quality or qualities that make it distinctive and that are typically associated with its form and the arrangement of its architectural elements. For example the architectural character of a structure may be conveyed by a prominent design feature. Examples are a distinctive roof line, a turret or portico, an arcade, an elaborate entry, or an unusual pattern of windows and doors.

The architectural character may also be attributed to the building's style, which is typically conveyed by the architectural detailing associated with that style. For example, a building which is Neo-Classical in style may convey a formal architectural character.

Architectural Details - As used in these guidelines, architectural or building details refer to the minor building elements that contribute to the character or architectural style of the structure, and may include moldings, mullions, rooftop features, the style of the windows and doors, and other decorative features. As used in these guidelines, the architectural details that are used to articulate the structure may also include reveals, battens, and other three dimensional details that create shadow lines and break up the flat surfaces of a facade.

Architectural Form - As used in these guidelines, architectural form refers to the three dimensional shape of a structure, and is made up in part by the building elements.

Articulation - See *Architectural Details*.

Balcony - A balcony is an outdoor space built as an above ground platform projecting from the wall of a building and enclosed by a parapet or railing.

Bay Window - A bay window protrudes from the main exterior wall. Typically, the bay contains a surface that lies parallel to the exterior wall, and two surfaces that extend perpendicular or diagonally from the exterior wall.

Blank Walls - Walls subject to "blank wall" requirements are any ground level wall surface or section of a wall that is over six feet (6') in height measured from finished grade at the base of the wall, and longer than 50' measured horizontally, that does not have any significant building feature, such as a window, door, modulation or articulation, or other special wall treatment within that 50' section (see below).

Courtyard - A courtyard is an open space, usually landscaped, that is enclosed on at least three sides by a structure or structures.

Curb Cut - A curb cut is a depression in the curb for the purpose of accommodating a driveway that provides vehicular access between private property and the street.

Deck - A deck is a roofless outdoor space built as an above-ground platform projecting from the wall of a building and supported by piers or columns.

Facade - A facade is any portion of an exterior elevation of a building extending from the grade of the building to the top of the parapet wall or eaves, for the entire width of the building elevation. A front facade is typically the facade facing the major public street(s). An entry facade is typically the facade with the primary public entry.

Foot-candle - A foot-candle is a unit used for measuring the amount of illumination on a surface. The amount of usable light from any given source is partially determined by the source's angle of incidence and the distance to the illuminated surface.

Frontage - As used in these guidelines, frontage refers to length of a property line along a public street or right-of-way.

Front Yard - As used in these guidelines, the front yard is the area between the street(s) and the nearest building facade.

Impervious Surface - Those hard surfaces that prevent or retard the entry of water into the soil in the manner that such water entered the soil under natural conditions prior to development; or a hard surface area that causes water to run off the surface in greater quantities or an increased rate of flow from the flow present under natural conditions, prior to development. Such surfaces include, but are not limited to, rooftops, asphalt or concrete paving, compacted surfaces, or other surfaces that similarly affect the natural infiltration or runoff patterns existing prior to development. They may be occupied by such recreational facilities as playground equipment, swimming pools, game courts, etc.

Lumen - A lumen is a unit used for measuring the amount of light energy given off by a light source.

Modulation - Modulation is a stepping back or projecting forward of portions of a building facade within specified intervals of building width and depth, as a means of breaking up the apparent bulk of a structure's continuous exterior walls. As used in these guidelines, the modulated portions must be at least 4 feet deep in order to qualify as modulation.

Pedestrian-Friendly Facades - "Pedestrian-friendly" facades are those that feature one or more of the following characteristics:

- Transparent window area or window displays along at least half the length of the ground floor facade.
- Sculptural, mosaic or bas-relief artwork along at least half the length of the ground floor facade.
- "*Pedestrian-Oriented Space*" - As defined below. At least 500 SF must be located along or adjacent to the public or private sidewalk(s), for every 100 linear feet of ground floor facade that faces the public street(s).
- Other measures that meet the intent of the criteria, as approved in conjunction with overall design review approval.

Pedestrian-Oriented Space - A pedestrian-oriented space is an area between a building and a public street that promotes visual and pedestrian access onto the site and that provides pedestrian-friendly amenities and landscaping, which enhance the public's use of the space.

To qualify as a "*pedestrian-oriented space*," an area must have:

- Visual and pedestrian access into the site from the public right-of-way,
- Paved walking surfaces of either concrete or approved unit paving,
- On-site or building-mounted lighting providing at least 2 foot candles (avg.) on the ground, and
- Seating; at least 2' of seating area (bench, ledge, etc.) or one individual seat per 60 SF of plaza area or open space.

A "*pedestrian-oriented space*" is encouraged to have:

- Landscaping that does not act as a visual barrier.
- Site furniture, artwork or amenities such as fountains, kiosks, etc.
- Pedestrian weather protection or other enclosure, such as an arcade or gazebo.

A "*pedestrian-oriented space*" shall not have:

- Asphalt or gravel pavement.
- Adjacent unscreened parking lots.
- Adjacent chain-link fences.
- Adjacent "blank walls" without "blank wall treatment."

Scale, Human - The size of a building element or space relative to the dimensions and proportions of the human body.

Scale, Architectural - The perceived height and bulk of a building relative to other forms in its context. A building's apparent height and bulk may be reduced by modulating facades and other treatments.

Service Areas - Service areas refer broadly to the areas, whether enclosed or open that contain such equipment and uses as ground level mechanical equipment, utility vaults, loading zones, outdoor storage areas, and trash and recycling areas.

Site Planning - Site planning is the arrangement of buildings, driveways, sidewalks, landscaping, parking, public open spaces, and other facilities on a specific site. Good site planning will display a cohesive site design concept, and take into consideration natural features, topography, drainage requirements, access points, the design of neighboring sites, and other features in the immediate vicinity of the site.

Streetscape - The streetscape is the visual character and quality of a street as determined by various elements located between the edge of the street and the building face, such as trees and other landscaping, street furniture, artwork, transit stops, utility fixtures and equipment, and paving. Where there are frequent and wide spaces between buildings, the streetscape will be defined by the pattern of building and open space and the character of that open space.

Viewshed - The viewshed is the extent of views from a particular site.

October 27, 2006

Jack Alhadeff

H. Jack Alhadeff & Assoc.
425 Pike St. Ste 600
Seattle, WA 98101

Dear Jack Alhadeff:

I am writing this letter on behalf of the City of Des Moines to introduce myself and let you know that I will be calling you in early November to invite you to be part of a small group of developers, business and property owners to advise the City on the best way to attract new businesses to and facilitate redevelopment of our Pacific Ridge neighborhood.

Pacific Ridge extends along Pacific Highway South (Highway 99) from Kent- Des Moines Road (SR 516) north to 216th Avenue South, our boundary with the City of SeaTac, and east to Interstate 5. We recently completed a \$20 million award-winning project rebuilding Highway 99, and we are already receiving some very encouraging interest from developers.

You and your company have been recommended as leaders in the kind of re-development that Des Moines is seeking. Your projects seem consistent with our long range vision, and you have a great reputation for helping your host cities achieve a "highest and best use" type and scale of redevelopment. We would be happy to work with another member of your management team if you would like to email me his or her contact information at bsheckler@desmoineswa.gov.

Thank you in advance for your consideration of this request. We are very excited about the future of this area and think you will enjoy being part of its revitalization.

Sincerely,

Robert F. Sheckler
Mayor

c: Des Moines City Council
City Manager

ATTACHMENT 7

Developers Receiving Letter from Mayor Sheckler

Name	Title	Company	Street	City	ZIP	PHONE	EMAIL
Mr. Derek Bottles		R.C. Hedreen Co	601 Union St, Ste 4520	Seattle	98198	206-624-8909	derek@rchco.com
Mr. Fred McConkey	President	McConkey Development Co	3006 Northup Way, Suite 308	Bellevue	98004	425-889-1180	Fred@mcconkeydev.com
Mr. Robert C. Wallace	CEO	Wallace Properties	330 112th Ave NE, Ste 200	Bellevue	98004	425-455-9976	rwallace@wallaceproperties.com
Mr. Kemper Freeman		Kemper Development	575 Bellevue Square	Bellevue	98004	425-646-3660	kfreeman@kemperdc.com
Mr. H. Jon Runstad	Chairman & CEO	Wright Runstad	12013rd Ave, Ste 2700	Seattle	98101	206-447-9000	jrunstad@wrightrunstad.com
Mr. Greg Johnson	President	Wright Runstad	12013rd Ave, Ste 2700	Seattle	98101	206-447-9000	gjohnson@wrightrunstad.com
Ms. Cindy Edens	Sen VP/Dir of Development	Wright Runstad	12013rd Ave, Ste 2700	Seattle	98101	206-447-9000	cedens@wrightrunstad.com
Mr. Val Thomas	Principal	VAL Thomas Inc	1221 2nd Ave, Ste 480	Seattle	98101	206-621-1221	val@valthomasinc.com
Mr. David Sabey	President	Sabey Corporation	12201 Tukwila International, # 400	Tukwila	98168	206-281-8700	davids@sabey.com
Mr. John Sabey	Sen VP Real Estate	Sabey Corporation	12201 Tukwila International, # 400	Tukwila	98168	206-281-8700	johns@sabey.com
Mr. Jim Potter	Chairman	Kauri Investments	2400 N 45th St, Ste 100	Seattle	98103	206-447-0303	jim@ishimc.biz
Mr. Russ Keithly	CEO	Langly Properties LLC	22516 64th Place, Ste 120	Issaquah	98027	425-369-0440	REMOVE - RETIRING
Mr. Ron Sher	Managing Partner	Terranomics Development	225 108th NE, Ste 520	Bellevue	98004	425-990-1200	rsher@metrovation.com
Mr. Ron Sher		Metrovation	226 108th NE, Ste 520	Bellevue	98004	425-990-1200	rsher@metrovation.com
Mr. Gordon Buchan	President	Kidder Mathews & Segner	601 Union Ste, 4720	Seattle	98101	206-205-0200	gbuchan@gvakm.com
Mr. Dan Rosenfeld	Principal	Urban Partners	304 S. Broadway, Ste 400	Los Angeles	90013	213-437-0470	drosenfeld@urbanpartners.net
Mr. Jack Alhadeff		H. Jack Alhadeff & Assoc.	425 Pike St, Ste 600	Seattle	98101	206-230-5460	homeguy@coldwellbanker.com
Mr. Ben Errez	CEO	Plan B Development	2018 156th Ave NE	Bellevue	98007	425-748-5050	bene@planbdev.com
Mr. Ben Porter		Second Avenue Real Estate	6238 51st Ave NE	Seattle	98115	206-523-7344	Benjaminporter@reunion.com
Mr. Mark Weed	President	Egis Real Estate Services	600 University St., Ste 1515	Seattle	98101	206-404-6700	mweed@egisrealestate.com
Mr. Charles Wright	CEO	Egis Real Estate Services	600 University St., Ste 1515	Seattle	98101	206-404-6700	cwright@egisrealestate.com
Mr. Michael Trower		Catapult Community Developers	3240 Eastlake Ave E	Seattle	98102	206-323-1234	mtrower@catapultdev.com
Mr. Tom Price	CEO	Prium Development, LLC	820 "A" St, Ste 300	Tacoma	98402	253-565-1418	tom@priumcompanies.com
Mr. Dan Absher	President	Absher Construction Co.	PO Box 280	Puyallup	98371	253-452-3700	dra@abshernw.com
Mr. Dan Ivanoff	Managing Investment Ptnr	Schnitzer Northwest	225 108th Ave NE, Ste 400	Bellevue	98004	425-452-3700	ttubb@snwre.com
Mr. Joe Blattner	President	Tarragon, LLC	1000 2nd Ave, Ste 3200	Seattle	98104	206-233-9600	jblattner@tarragon.com
Mr. Roger McCracken			24033 SE Issaquah-Fall City Rd.	Issaquah	98027		
Mr. Bruce Lorig	Executive	Lorig Associates	2025 1st Ave, Ste 420	Seattle	98121	206-728-7660	blorig@lorig.com
Mr. Morgan Llewellyn		Llewellyn Real Estate	603 W. Gowe St	Kent	98035	253-852-1898	mlllewellyn@ccim.net
Mr. Matthew Chan	President	Sunway Services Inc.	1612 So. Mildred St, Ste B	Tacoma	98465	253-460-6888	matthew@sunway.net

Added after October 2006 letters sent

Page 7-0

NEW BUSINESS
Item #2

AGENDA ITEM

BUSINESS OF THE CITY COUNCIL City of Des Moines, WA

SUBJECT:

Shoreline Master Program Update
City File No. LUA 2005-041

ATTACHMENTS: None

AGENDA OF: March 22, 2007

DEPT OF ORIGIN: Planning, Building, and
Public Works

DATE SUBMITTED: March 15, 2007

CLEARANCES:

☒ Planning, Building & Public
Works _____

**APPROVED BY CITY MANAGER
FOR SUBMITTAL** _____

Purpose and Recommendation

The purpose of this item is to inform the full Council on the status of the Shoreline Master Plan (SMP) and establish a specific date that the Council would review staff edits to the SMP.

It is recommended that the City Council review changes and edits to the SMP on April 26, 2007

Suggested Motion

"I move to schedule review of the staff edits to the Shoreline Master Program for April 26, 2007."

Background

RECAP The existing City of Des Moines Shoreline Master Program (SMP) was adopted in 1988 and focuses on how our City existed almost two decades ago. Changes to our community from several annexations coupled with the fact that the State of Washington has adopted new requirements for how cities regulate shoreline development have prompted the City to update its SMP. The City formally initiated this SMP update process in the fall of 2004. After many months of work and numerous meetings with the Planning Agency and City Council in 2005 and 2006, City staff was directed in February 2006 to forward a draft copy of the City's updates to the SMP for review and comment by The Department of Ecology (DOE). For some members of the City Council, February 2006 marked the last time that they were involved in the SMP and much time has passed since then--over a year. Staff wants to take this opportunity to let all Council members know what has happened since that time so that information gaps are

minimized before the Council is, once again, asked to review and make decisions on the SMP updates.

DELAYS AND PROBLEMS City staff has encountered many difficulties since the draft SMP was forwarded to DOE in February 2006. The first of these difficulties occurred when more time than expected was taken by DOE to review our SMP update. DOE did not provide City staff any comments regarding our update efforts until the first week in July 2006. We attempted to reach them as they were reviewing our SMP, but were often given vague and conflicting explanations as to why it was taking so long. This 4 month turnaround time was well over twice the amount of time that was anticipated. The comments that DOE ended up providing to us were very lengthy and difficult for the City and our consultant to interpret and qualified as "potentially partial comments." The delay in providing the comments to the City caused another issue that needed to be resolved. Our June 30, 2006 deadline for completing the SMP expired before we even had a chance to respond to DOE comments.

After discussing the deadline issue with DOE and impressing upon them that it was their delay that caused the City to miss this deadline, they acknowledged that an extension of the deadline was in order. DOE extended the deadline to December 31, 2006, but at the same time they informed us of another problem, the remaining balance of our grant funds was not going to be immediately available to us because it terminated on June 30, 2006 which coincided with its fiscal year end and funds do not roll over to the next fiscal year automatically. DOE further explained that, potentially, the City may not have its funding renewed period unless the State Legislature determined that it would restore our funding when it reconvened in January 2007.

Staff explained to DOE that the their newly imposed SMP deadline of December 31, 2006 is meaningless because the City cannot make any progress on responding to DOE's comments if we cannot pay for our consultant to work on changes to the SMP to address those comments. DOE stated that they would attempt to work with the Legislature to find a solution, but could not guarantee that the outcome would be favorable for the City. The indecisiveness by DOE created yet another problem for the City. For 4 months (July 2006-November 2006) the City was stymied and could not progress on the SMP. We just waited for the state to sort out the funding mess. Finally, later in November 2006, DOE contacted City staff and indicated that "things were looking up" for restoring our funding, but still no guarantees. We agreed to meet with DOE staff in early November 2006 to work through our struggles interpreting DOE's comments assuming that our funding problems would clear up.

In our first meeting, we encountered yet another problem. DOE staff handed City staff 53 additional comments that they wanted us to respond to that were written by the State Attorney General's Office. These comments are dated July 8, 2006 but were not provided to the City until four months later on November 7, 2006. It wasn't until mid December 2006 that DOE officially confirmed that our funding was restored. A few days later realizing that in only two more weeks the December 31, 2006 deadline would expire, DOE extended the deadline to June 30, 2007.

SMP WORK RECOMMENCES Despite the delays and problems mentioned above, the City has made good progress during the last few months to modify the SMP to address DOE comments. This effort began with a series of meetings with DOE staff to gain a better understanding of what their comments really meant. As previously mentioned, it was very difficult to discern what DOE was suggesting in terms of changes to our draft SMP much less if we had all of their comments. Further complicating the uncertainty and vagueness of the comments is the fact that the new SMP rules/guidelines are somewhat uncharted territory and a lot of the nuances and internal inconsistencies with the legislation have not been fully reconciled at the state level. Eventually staff and the City's consultant (ESA Adolfson Associates) were able to sort through all the comments and had a sense of how to edit the draft SMP document, but we were a little puzzled about what would be the most effective way to get this back to Council for review.

We decided to start by briefing the Council Environment Committee and seek its direction. The consensus of the Committee and staff was that edits and changes to the SMP would be best accomplished in a series of meetings in committee before bringing the revised SMP back to full Council. Staff met with the Environment Committee four times in January through March 2007. Some of the more significant decisions and direction received during this time were:

1. When addressing DOE's comments, distinguish between WAC or RCW requirements from suggestions or preferences that DOE would like to have changed. Make sure the majority of our energies are spent fulfilling state law, but also recognize the political angles and make calculated choices.
2. Keep the DMMC as much as possible as the central source of the City's environmental and land use regulations. In preparing the SMP, make references to the DMMC for requirements if we are not required to do otherwise. In some select circumstances to appease DOE, provide greater specificity in the SMP for some requirements, but do so in a way that limits their ability to reach into and control our non-shoreline codes.
3. As the Critical Areas Ordinance (CAO) is now fully updated, make changes to the SMP to attain consistency with those updates.
4. Include a marine shoreline buffer which fulfills state requirements and provides consistency with other City critical area buffers and the BAS utilized during the CAO review.
5. Correct the confusion created by having setbacks and buffers that are both measured from the ordinary high water mark.
6. Make sure the revised SMP recognizes Des Moines Beach Park, the Marina, and portions of Redondo as unique shoreline areas that foster public access and promote water oriented and water dependent uses.

7. Tailor marine shoreline buffers to existing land uses reflected in the Shoreline Inventory report. Balance the need for marine environmental protections with competing state and local policies of the SMP to provide enhanced public access and use of shoreline areas. Develop policies and processes within the SMP that are realistic, e.g. the Marina, though its physical development substantially alters the natural state, is not going to be removed and is likely to be further utilized and developed to promote Des Moines as a water oriented community.
8. Establish policies such that existing and legally permitted single family land uses and associated developed conditions and improvements are not in jeopardy of being in non compliance.
9. Establish policies that provide for greater environmental protections and scrutiny for new development on vacant properties near the shoreline.
10. Unlike last year, prepare the SMP updates not as a draft which solicits DOE comments, but rather as a document that Council can adopt.
11. Prepare a Draft Ordinance for future Council consideration.
12. Coordinate with other City staff to enable the comprehensive plan to be amended in 2007 to include updated information from the SMP.
13. Target a future meeting date that the full Council can review the document and enable it to take action at that time if it so desires.
14. Provide required notice to CTED for growth management compliance and complete required SEPA work in anticipation of possible future Council action.

Discussion:

This agenda item is intended to only brief the Council on the status of the SMP before the Council reviews staff changes at a future meeting. No analysis/discussion is provided at this time.

Alternatives:

Council is not being asked to review changes or edits to the SMP at this time, so no action is required in this regard. Staff is seeking to secure a future date to review the SMP with Council and determine if adoption is appropriate at that time. Staff is recommending that Council review this item on April 26, 2007. This is the earliest possible date Council can review this item due to the fact that SEPA will not be complete until March 26, 2007 and the required 60 day review/commenting period for CTED ends April 22, 2007. Council can defer this matter to a later meeting date if it so desires. Staff would like to review the SMP with Council at the

earliest possible opportunity to allow for any possible editing or staff work after the meeting before we forward the SMP to Ecology in advance of the June 30, 2007 deadline.

Financial Impact:

The City is receiving grant money from the State of Washington to complete the SMP update process. The combined grant amount awarded to the City is \$109,500. The City has accepted this grant and in doing so is obligated to update its SMP consistent with new state requirements.

Recommendation and Conclusions:

Administration recommends the City Council schedule the review of the SMP edits for April 26, 2007.

Concurrence:

- Planning, Building and Public Works
- Council Environment Committee