

REGULAR MEETING DES MOINES

MINUTES

March 27, 1997

At 7:27 p.m., Deputy City Clerk Chaufy announced that the City Council would continue in Executive Session for approximately another fifteen minutes.

The regular meeting of the Des Moines City Council was called to order at 7:40 p.m. by Mayor Thomasson in the City Council Chambers, 21630 11th Avenue South.

PLEDGE OF ALLEGIANCE to the flag was led by Councilmember Wasson.

ROLL CALL - Present: Mayor Scott Thomasson, Mayor Pro Tem Terry Brazil, Councilmembers Bruce Roberts, Bob Sheckler, Dan Sherman, Gary Towe, and Don Wasson. Also present were City Manager Bob Olander, Assistant City Manager Tony Piasecki, City Attorney Gary McLean, Community Development Director Judith Kilgore, Public Works Director Tim Heydon, and Deputy City Clerk Angela Chaufy.

CORRESPONDENCE

SeaTac International Airport Impact Mitigation Study Results

City Manager Olander read the press release concerning the results of the SeaTac International Airport Impact Mitigation Study. The report estimated the third runway mitigation costs to be at least \$2.95 billion dollars. City Manager Olander stated that a detailed report of the results would be presented at the May 8, 1997 council meeting.

COMMENTS FROM THE PUBLIC

Michael Arbow, 19431 5th Avenue South

Mr. Arbow expressed concern about the warehouse facility that is proposed to be built on South 192nd Street and 8th Avenue South. He stated that several homeowners in the Forest Meadows neighborhood are opposed to the project and asked Council to support the restriction of traffic ingress and egress from 8th Avenue South.

Joel Ferrari, 19420 5th Avenue South

Mr. Ferrari asked Council to schedule a discussion of the proposed warehouse development on South 192nd Street and 8th Avenue South. He was concerned about the safety and noise issues generated by the development. He also voiced opposition to the Port of Seattle strip mining property for fill dirt.

Tim Weber, 501 South 195th

As a commercial real estate broker, Mr. Weber recognized the positive affects of a warehouse development but asked Council to consider the residents and protect their interests.

John Marine, 19503 5th Avenue South

Mr. Marine expressed concern with the proposed development of a warehouse on South 192nd Street and 8th Avenue South. He noted that several children walk on 8th Avenue South. He felt that the development would create unsafe conditions and additional noise to the neighborhood.

Lloyd Wade, P.O. Box 46819, Seattle, WA 98146

Mr. Wade asked Council to restore the residential building height to 35 feet in the newly annexed Woodmont-Redondo area. He felt that a 25 foot height restriction created a hindrance from a technical standpoint. He stated that he would later submit written technical comments describing the need for the increased height limitation.

Cary Branch, 3934 South America Street, Seattle, 1004 South 264th Street (Building Lot)

As a builder, Mr. Branch felt that the 25 foot building height limitation was very restrictive. He noted that existing homes in the Woodmont-Redondo area are built up to 35 feet in height which would cause any new homes, built to the 25 foot standards, to look out of place. He asked Council to restore the 35 foot building height restriction for the Woodmont-Redondo area.

Victor Anderson, 27036 8th Avenue South

Mr. Anderson informed Council that he was also speaking on behalf of Mike Berry and Cliff McNeal. He asked Council to maintain the building height for the Woodmont-Redondo area at 35 feet. He noted that the finished drive along Redondo Beach is very nice but did not provide any parking areas. Therefore, he felt that a 35 foot building height was necessary to provide for off street resident parking. He gave the Deputy City Clerk a letter regarding the development regulations to distribute to Council.

Don Clayton, 22426 12th Avenue South

As a member of the Citizen Sports Park Committee, Mr. Clayton expressed support for the Sports Park issue. He felt that noise generated from parents would be louder than the airplane noise in the area. In closing, Mr. Clayton thanked Council for their vision and concern for the future of Des Moines.

George Minnich, 22701 19th Avenue South

Mr. Minnich stated that it was important to provide detailed information about the Sports Park bond issue to the public.

John Carroll, 24832 11th Avenue South

Mr. Carroll expressed support for the Sports Park bond issue. As a member of the Senior Softball program, he noted that dirt on the current fields was worn out and that sufficient restroom facilities were needed. He thanked Council for their support of the Sports Park proposal.

Warehouse Proposal on South 192nd Street and 8th Avenue South

Mayor Thomasson noted that the proposed warehouse development is within the City of SeaTac's boundaries. He encouraged the speakers to contact SeaTac City Councilmembers with their comments.

City Manager Olander confirmed that the SEPA process for the project was still open.

Council concurred that a letter should be drafted at both the staff and Council level requesting the project design restrict truck traffic on 8th Avenue South.

BOARD & COMMITTEE REPORTS

Public Access Channel

Councilmember Sherman noted that he was pleased that previous council meetings aired on the City's public access channel had motivated and encouraged individuals to attend council meetings.

Post Office Relocation

Councilmember Sherman stated that correspondence had been received requesting that the Post Office retain their current downtown facility.

Mayor Pro Tem Brazil noted that METRO service does not extend to the new post office site.

Council concurred that a letter should be drafted from Council requesting that the downtown post office facility remain open.

PRESIDING OFFICER'S REPORT

ACC Alternate

Mayor Thomasson noted that the other cities in the ACC have elected officials serving as primary and alternate representatives to the committee while Des Moines is represented by Mayor Pro Tem Brazil and City Manager Olander.

MOTION was made by Mayor Pro Tem Brazil and seconded by Councilmember Roberts to elect Councilmember Sheckler to the position of ACC Alternate.

City Manager Olander noted that he would continue to participate in ACC but at the city manager level.

VOTE ON MOTION: Motion passed unanimously.

CONSENT CALENDAR was read by Deputy City Clerk Chaufy.

1. Motion is to approve the minutes of March 13, 1997.
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 42.24.080, 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 check #55369 through #55581 in the total amount of \$409,636.94

Payroll fund transfers in the total amount of \$186,807.50

3. Motion is to remand the Draft Des Moines Creek Basin Plan to the Environment Committee for review and recommendations.
4. Motion is to purchase the westerly corner of the Newton Property in the amount of \$5,000 plus closing costs, and further to authorize the City Manager to sign the purchase and sale agreement in the form as attached.
5. Motion is to approve the purchase of the Zeisel property for \$137,500 plus closing costs, and further to authorize the City Manager to sign a Purchase and Sale Agreement substantially in the form of the attached.

6. Motion is to approve the Summary of Changes to the 1997-2002 Capital Improvement Plan.
7. Motion is to purchase the Romano Property for \$160,000 plus closing costs, and further to authorize the City Manager to sign the purchase and sale agreement in the form as attached following preparation and recording of an appropriate lot line adjustment.
8. Motion is to direct the City Manager to write off as uncollectible \$46,956.26, which amount represents City of Des Moines Surface Water Management Fees assessed for City streets that are part of the state highway system.

MOTION was made by Mayor Pro Tem Brazil and seconded by Councilmember Sheckler to approve the consent calendar as read.

In regard to Item No. 8, Councilmember Sherman suggested that the revised version of the Code allow for the option of collection of Surface Water Management fees for future city streets that will be part of the state highway system.

City Manager Olander confirmed that the state highway Surface Water Management fees were not included in the potential revenue estimates for 1997.

VOTE ON MOTION: Motion passed unanimously.

NEW BUSINESS

Draft Resolution No. 97-034 *[Assigned Res. No. 824]* - Authorizing the 1997 Waterland Festival

City Manager Olander introduced the subject. He noted that the Chamber of Commerce had proposed a new layout for the arts and crafts area.

MOTION was made by Councilmember Sheckler and seconded by Mayor Pro Tem Brazil to approve draft Resolution No. 97-034.

Mayor Thomasson read the title into the record.

VOTE ON MOTION: Motion passed unanimously.

PUBLIC HEARING

Draft Resolution No. 97-008 - Preliminary Plat "Westwood", Centex Homes, Inc. #PP96-002

Mayor Thomasson introduced the subject.

Community Development Director Kilgore displayed a map of the proposed residential development. She described the location of the plat, slope of the land, and zoning of surrounding properties. She noted that the proposed project complied with the subdivision code design requirements. She stated that Council should consider the filtration fencing and maintenance requirements. Ms. Kilgore noted that draft Res. No. 97-008 established 15 foot sideyard setbacks from the east property lines for Lots 7 and 19.

Public Works Director Heydon commented that the proposed plan complies with the street standards. He noted that staff recommended a 22 foot cross section from the center of South 192nd Street which would include bike lane, sidewalk, curb, and gutter. The developer,

however, preferred an 18 foot cross section with the elimination of the bike lane. Public Works Director Heydon described the proposed storm drainage system which included an infiltration gallery system with an overflow pipe. He described the storm water issues for the proposed plat as well as for the surrounding neighborhood. Due to sedimentation concerns from water runoff flowing from the north side of South 192nd Street, Mr. Heydon noted that staff also recommended curb and gutter development on the north side of South 192nd Street.

City Attorney McLean read the rules for conducting a public hearing. He swore in the speakers and questioned Council in regard to the hearing's quasi-judicial issues. No Councilmember responded.

PROPONENTS

Larry Smith, 1420 5th Avenue, Seattle

As the lawyer representing Centex Homes, Mr. Smith noted that the proposed project was consistent with the Des Moines Comprehensive Plan. He felt that the roads were adequate to handle the increased traffic impacts. He noted that the proposed drainage system was designed to recharge the water back into the ground. He hoped that the drainage improvements would relieve existing drainage problems in neighboring areas. In closing, he urged Council to approve the plat.

Tom Uren, 1215 114th Avenue SE, Bellevue

As Senior Project Engineer for the proposed plat, Mr. Uren described the process used to select a suitable drainage solution for the plat. He noted that several studies and land samples had been taken. Mr. Uren felt that the proposed infiltration pond with an overflow pipe would continue the natural pattern of filtration. He predicted that the drainage system would reduce the water flow into an existing dry well by approximately 30%. Mr. Uren noted that King County had approved a variance to the applicant for the development on the north side of South 192nd Street.

At 9:00 p.m., Mayor Thomasson declared a ten minute break.

OPPONENTS

George Minnich, 22701 19th Avenue South

Although not personally opposed to the project, Mr. Minnich spoke of the concerns of the residents in the area. He voiced concern about the hearing notification process and traffic impacts of the plat. He asked Council to require fencing around the infiltration pond area. Mr. Minnich also felt that the proposed plat could cause drainage problems for Lots 1 - 4 on South 194th Street. In closing, he noted that the Washington State Criminal Training Center was located on South 192nd Street.

Bob Parks, 19247 7th Place South

Mr. Parks expressed concern with the drainage issues created by the project. As the proposed infiltration pond is at the same level as his neighboring lot, he felt that a full pond could flow onto his property and affect his drain field. He asked Council to address the surface water drainage issues of the proposed project.

Richard Timm, 19223 7th Place South

Mr. Timm thanked Centax Homes, Inc. for previously addressing several of his concerns. He presented the clerk with a letter (Exhibit A) from Centax Homes addressing those concerns. He displayed a map (Exhibit B) of his lot and the adjoining lots noting that Centax Homes had agreed to 15 foot sideyard setbacks for Lots 7 and 19. He asked that no garage and windows of the houses developed on these lots face his house. In regard to the drainage concerns, Mr. Timm gave a history of the development of his lot and his measures to control surface water in the area. He felt that the proposed drainage system would not handle the yard run-off, resulting in damage to his dry wells. He proposed the installation of a new catch basin with a rock lined ditch. He asked to be able to review and agree with the final drainage system design.

REBUTTAL

Tom Uren, 1215 114th Avenue SE, Bellevue

In regard to potential damage to Mr. Park's drain field, Mr. Uren stated that the overflow pond would be enclosed by a small berm with an overflow pipe. In regard to Mr. Timm's comments, Mr. Uren stated that he shared Mr. Timm's desire to connect the street drainage flow from 7th Place South to the pond, but elevation problems prevent this option.

Larry Smith, 1420 5th Avenue, Seattle

In regard to traffic concerns, Mr. Smith commented that the extension of 6th Avenue South should divert some traffic off South 192nd Street. He noted that the pond design included fencing. He stated that development on Lots 7 and 19 will be maximized within the 15 foot sideyard setback requirements.

Ted Schepper, 12525 Willows Road, #101, Kirkland

Mr. Schepper, a geo-technician with Tara Associates and engineer for the proposed project, described the soil and land of the plat. He noted that no ground table was found within a 50' depth. As water takes the course of least resistance, he believed the water would flow straight down in this particular situation.

REBUTTAL

Richard Timm, 19223 7th Place South

Mr. Timm noted that there are several potential engineering solutions. He asked that the engineers make an honest effort to create an innovative design to run water into a detention pond.

Bob Parks, 19247 7th Place South

Mr. Parks clarified that he was concerned with the possibility of water migrating through the berm into his drain field rather than the pond overflowing into his yard.

REBUTTAL

Larry Smith, 1420 5th Avenue, Seattle

Mr. Smith reiterated that preliminary studies and tests indicated that the water is likely to flow down into the ground.

Community Development Director Kilgore informed council that after contacting King County regarding the designation of the south side of South 192nd Street, Des Moines' staff designated

the street as urban arterial. She explained the public hearing posting procedures. She noted that the current infiltration pond design required complete fencing and site obscuring screen on the southern and eastern sides. Maintenance needs need to be determined prior to obscuring the other sides of the pond. Ms. Kilgore noted that the public park would be maintained by the City and that the preliminary plat did not require fencing along the west side of the plat.

Upon request, Mr. Uren further clarified land drainage, water flow patterns, and infiltration pond design issues.

Public Works Director Heydon informed council that the draft mitigation agreement, Item 5, required the developer to post an assurance bond. The bond would be released only after it was demonstrated that the proposed infiltration system functioned as designed. He also noted that the infiltration pond would require siltation monitoring. Mr. Heydon stated that staff had not yet discussed possible improvements to the north side of South 192nd Street with King County.

Mr. Uren presented the Mayor with a map of Southwest Suburban Sewer District's plans for the area (Exhibit 3).

Mayor Thomasson closed the public testimony portion of the hearing and reserved the right to question the speakers further. The subject would be further discussed at the April 10, 1997 Council meeting.

City Attorney McLean reiterated that no additional written comments would be accepted.

NEXT MEETING DATE - April 3, 1997 Study Session

ADJOURNMENT - The meeting adjourned at 10:30 p.m.

Respectfully submitted,

Angela M. Chaufty
Deputy City Clerk