

REGULAR MEETING DES MOINES CITY COUNCIL

MINUTES

April 8, 1999

The regular meeting of the Des Moines City Council was called to order at 7:32 p.m. by Mayor Thomasson in the City Council Chambers, 21630 11th Avenue South.

PLEDGE OF ALLEGIANCE to the Flag was led by Mayor Thomasson.

ROLL CALL - Present: Mayor Scott Thomasson, Mayor Pro Tem Terry Brazil, Councilmembers Dave Kaplan, Bob Sheckler, Dan Sherman, Gary Towe and Don Wasson. Also present were Acting City Manager Tony Piasecki, City Attorney Gary McLean, Community Development Director Judith Kilgore, Planning Manager Corbitt Loch, Planning Technician Gloria Gould-Wessen and City Clerk Denis Staab.

COMMENTS FROM THE PUBLIC

Dennis Davidson, 22987 Marine View Drive - Whaler's Village

Mr. Davidson voiced frustration with proposal to downzone his condo. He stated that he will not be able to sell at any kind of a profit, if at all, if Council should adopt a change in zoning.

Thomas Hayes, 22301 Emmett Lane South

Mr. Hayes invited Council to the dedication ceremonies of a World War II Memorial on the Olympia Capital Grounds on May 28th.

Mr. Hayes commented on the proposed grandfathering of RM 900 zones. His opinion was that 20 years was not appropriate as it still makes an impact on obtaining mortgage loans. He would prefer perpetuity. He reminded Council that the Comprehensive Plan is not a sacred document and should be more flexible to reflect the citizens wishes.

Natalie Drake, 23011 Marine View Drive - Whalers Village

Ms. Drake noted that a 20 year grandfather clause for RM 900 zones is unacceptable. She also requested that Council act speedily in adopting the new zoning map and not drag the process out. She concluded by questioning why Council is considering special re-design and development for the Pacific Ridge area, while forcing citizens to move out of the downtown area.

Wayne Bader, 21938 Marine View Drive

Mr. Bader requested that Council to be responsible for their actions and not allow staff to dictate recommendations and directions. He also stated that he felt the proposed location for a new senior/community center was a bad location and that is the reason the citizens have voted it down.

Louise Rice, 23011 Marine View Drive #B217

Ms. Rice spoke in opposition to a 20 year time limit on grandfathering RM 900 zoning.

Wanda Perry-Jackson, 23011 Marine View Drive South

Ms. Jackson expressed hope that Council will turn down the request for a conveyor system to haul dirt to the airport. She expressed concern over the noise impacts on sleep or outside activities, especially at the Des Moines Marina.

(Unidentified Speakers) - Bayview Meadows Site #42

The gentleman spoke against any down zoning of multi-zoning property. The lady informed Council that her client stands to lose approximately one million dollars in the value of his property if it is down zoned. She requested Council carefully consider the financial impact to Des Moines' property owners.

CONSENT CALENDAR was read by City Clerk Staab.

1. Motion is to approve the minutes of March 25, 1999.

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 #66160 through #66307 in the total amount of \$210,807.10

Payroll fund transfers in the total amount of \$225,488.72

3. Draft Ordinance No. 98-297 [ASSIGNED ORDINANCE NO. 1233] - Title: An Ordinance of the City of Des Moines, Washington relating to buildings and construction; amending DMMC 14.04.050, DMMC 14.08.020, DMMC 14.08.140, DMMC 14.08.190, DMMC 14.08.200, DMMC 14.08.210, DMMC 14.08.220, DMMC 14.08.230, DMMC 14.08.240, DMMC 14.08.250, DMMC 14.08.260, DMMC 14.08.270, DMMC 14.08.280, DMMC 14.08.290, DMMC 14.08.300, DMMC 14.08.310, DMMC 14.08.320, DMMC 14.08.330, DMMC 14.08.340, DMMC 14.08.350, DMMC 14.08.360, DMMC 14.08.370, DMMC 14.08.380, DMMC 14.08.390, DMMC 14.08.400, DMMC 14.08.410, DMMC 14.08.420, DMMC 14.08.430, DMMC 14.08.440, DMMC 14.08.450, DMMC 14.12.020, DMMC 14.16.020, DMMC 14.16.070, DMMC 14.16.140, DMMC 14.20.020, DMMC 14.24.020, DMMC 14.40.020, DMMC 14.40.040, DMMC 14.40.050, and DMMC 14.40.060.

TWO MOTIONS: First motion is to suspended Council Rule 26(b). Second motion is to approve Draft Ordinance No. 98-297.

4. Motion is to approve 1) the interlocal agreement with King County for City Optional Program funds as amended in Attachment 2; and 2) the contract with Pacific Energy Institute (PEI) for services for a collection event for hard-to-recycle household items, and further to authorize the city manager to sign such documents substantially in the form as attached.

MOTION was made by Councilmember Kaplan, seconded by Mayor Pro Tem Brazil and passed unanimously, to approve the Consent Calendar as read.

OLD BUSINESS

Zoning Map Amendments - Continued Discussion

MOTION was made by Councilmember Sheckler, seconded by Mayor Pro Tem Brazil, to direct staff to delete all provisions of reclassifying RM 900 properties to RM 900A.

Councilmember Kaplan noted that he supports grandfathering the RM 900 property on a permanent basis. It is his opinion that it would be a mistake to not change the underlying zoning.

Councilmember Sherman noted that he supports grandfathering until a permanent structure is voluntarily torn down, and then feels it should conform to RM 900A. He advised that he feels this is a policy issue concerning ideal setbacks. He voiced support of increased setbacks as the greater value to the community to provide open space and preserve views.

Mayor Thomasson noted that historically over the last 12 years, Council has only granted RM 900A because of the setbacks. He felt these setback requirements provide for a better development plan for the City. He stated that for those properties that are now RM 900 and that are underdeveloped or not developed, that his preference would be to go with the RM 900A setbacks.

Councilmember Wasson noted that as the Chairman of the Committee that reviewed and recommended the zoning map changes, he has now changed his mind. He supports leaving the RM 900 as is.

VOTE ON MOTION: Motion passed 4 to 3, with Councilmembers Kaplan and Sherman, and Mayor Thomasson voting NO.

Community Development Director Kilgore informed Council that staff will review 35 sites identified as “low complexity”, which have been broken down into geographical areas.

With the use of view foils to display the individual sites and locations, Planning Manager Loch proceeded to review the numbered sites with comments as noted:

GROUP ONE

- #44: Issue was of correct zoning. Staff recommends no change, stay at RM 2400.
- #43: 3 parcels surrounded by apartments. Recommend RS to RM 2400
- #27: Currently RS. Recommend townhouse RA 3600
- #47: 2 parcels currently RS surrounded by multi-family. Recommend RM 2400
- #28: 3 parcels at RS. Recommend townhouse RA 3600, limit of 9 dwelling units per acre.
- #10: RS 7200. Recommend RS 9600. No public comments received.
- #11: RS 7200. Recommend RS 9600. No public comments received.

COUNCIL CONSENSUS was to accept the recommendations as presented.

GROUP TWO

- #29: RS. Recommend RA 3600.
- #12: 1 parcel RS 8400. Recommend RS 9600.
- #30: Currently BC, only one in the City. Recommend split zone - north RA 3600, south RS, with a proposed lot line adjustment.
- #50: RS 9600. Recommend RM 2400 with 12 unit per acre limit.
- #32: SR. Recommend RA 3600.

COUNCIL CONSENSUS was to accept the recommendations as presented.

GROUP THREE:

- #9: Seashore Club RM 2400. Recommend RS 15,000. Seashore Club Association supports change.
- #40: 3 parcels at RM 1800. Recommend split with single family to west to remain, rest to RM 2400
- #21: Highland Village, RS Planned Unit Development. Recommend map clearly note PUD with RS to the east of the site. Site is in compliance in density with RS.

COUNCIL CONSENSUS was to accept the recommendations as presented.

GROUP FOUR:

- #34: RM 1800. Recommend RM 2400
- #35: Two zones, RM 1800 & RM 900B. Recommend RM 2400.
- #23: RS 8400. Recommend RA 3600.
- #56: RS 8400. Recommend RM 900A.
- #57: RS 8400. Recommend RM 900A.
- #24: RS 8400. Recommend RA 3600.
- #25: RM 2400. Recommend RA 3600.
- #38: RM 2400. Recommend retaining RM 2400.
- #17: RM 2400 Willows Apartments & Single Family. Highly environmentally sensitive area. Recommend RS 7200. No comments or concerns received.

COUNCIL CONSENSUS was to accept the recommendations as presented.

GROUP FIVE:

- #5: Two zones. Requires a technical correction to zoning map. Recommend SE until, or if, a sub-division is requested. Unique situation with small lake on the property.
- #4: RS 7200 City Parks, SR 509 right-of-way and utility facilities. Recommend consistency to SE.

Councilmember Towe expressed concern that a special park designation should be created to protect these properties from future development.

- #1: City owned property with SE and RS 15,00 - requires technical correction. Recommend SE.
- #2: Midway Sewer District property with currently no zone at all. Recommend SE.
- #3: Midway Sewer District property at RS & RM. Recommend SE.
- #22: RS 7200. Recommend RA 3600.
- #14: RS 7200 with "potential RM2400". Recommend deletion of "potential RM 2400".
- #15: RS 9600. Recommend RS 7200.
- #26: RS 9600. Recommend RA 3600.

Councilmember Wasson noted that it was requested by a citizen that this zone change extend from South 216th on the north, to South 218th on the south.

Planning Manager Loch responded that this would be more appropriately achieved by a Comprehensive Plan Amendment.

MOTION was made by Councilmember Wasson, seconded by Councilmember Kaplan, to directed staff to initiate a Comprehensive Plan amendment process to designate the area south of site #26 to South 218th as RA 3600 and to simultaneously prepare the appropriate zoning map amendment. Motion passed unanimously.

#41: 2 parcels one at RM 1800 and a public facility. Recommend RM 2400 and Comprehensive Plan Amendment for public facility to RM 2400.

MOTION was made by Councilmember Sheckler, seconded by Councilmember Kaplan and passed unanimously, to direct staff to prepare the appropriate Comprehensive Plan Amendment to change the Public Facility/Utility designation to RM 2400.

#60: Port owned property at RS 7200. Recommend SE. Staff noted this is not part of the business park, but should reflect park space.

COUNCIL CONSENSUS was to accept recommendations as presented.

MOTION was made by Councilmember Kaplan, seconded by Councilmember Sheckler and passed unanimously, that a draft ordinance and zoning map be prepared that includes the 35 “less complexity” sites authorized by the City Council.

NEXT MEETING DATE

Mayor Thomasson noted that the next regular meeting will be April 22, 1999.

ADJOURNMENT

Meeting was adjourned at 9:10 p.m.

Respectfully submitted,

Denis Staab
City Clerk